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THE INSANITY LAW

STATE OF NEW YORK

A COMPANION TO THE MENTAL HYGIENE ACT
IN RELATION TO THE CARE AND TREATMENT
OF MENTAL DEFECTIVES
BY WALTER H. JENNINGS
CHIEF CLERK OF THE SENATE

STATE PRINTING HOUSE IN ALBANY

By John F. Kennedy
1910

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THE INSANITY LAW

OF THE

STATE OF NEW YORK.

A COMPILATION OF STATUTES RELATING TO THE INSANE AND
TO INSTITUTIONS FOR THEIR CARE AND TREATMENT;
TO WHICH IS APPENDED THE OFFICIAL
ORDERS AND REGULATIONS

OF THE

STATE COMMISSION IN LUNACY.



By JOHN F. MONTIGNANI,
of the Albany Bar.

ALBANY, 1896.

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N5M7
1896

COMPILER'S NOTE.

The need of a compilation of the lunacy statutes of New York has long been recognized by judicial officers, asylum physicians, examiners in lunacy, county officials, attorneys, and all persons having to do with the commitment and treatment of the insane.

The legislation of 1896 upon this subject contains certain radical changes from former statutes, particularly in the matter of the commitment of the insane. Under the new law, no person can be committed to an institution for the care and treatment of the insane except upon an order of a judge of a court of record, such order being granted upon a verified petition and a certificate of lunacy, signed by two medical examiners, after notice to the alleged insane person, or some person in his behalf, to be designated by the court. A hearing may be had by the judge to whom the application is made, in his discretion, or upon the demand of the alleged insane person.

An important requirement of the new law is that no insane person shall be confined in any prison, jail or lockup unless he is dangerous and no other suitable place for his confinement can be had.

A change is made in the method of transfer of an insane criminal from penal institutions to the State Hospital for Insane Criminals. The new law provides that the question of insanity of criminals shall be determined by legally qualified medical examiners in a manner similar to that required in the commitment of insane persons to State hospitals.

It is believed that the collection of the official orders of the State Commission in Lunacy, which are brought together for the first time in this volume, will be found of interest and value to all public officers having to do with the commitment and treatment of the insane.

The compiler desires to express his indebtedness to the secretary of the State Commission in Lunacy, Mr. T. E. McGarr of Albany, N. Y., whose knowledge of this subject, gained in his twenty years' official experience in the department of lunacy administration, has rendered his advice and suggestions of paramount value in the preparation of this volume.

JOHN F. MONTIGNANI.

ALBANY, *May*, 1896.

THE INSANITY LAW.

- Article 1. State commission in lunacy (§§ 1-16).
2. Institutions for the care, treatment and custody of the insane (§§ 30-49).
 3. Commitment, care and discharge of the insane (§§ 60-77).
 4. Matteawan state hospital for insane criminals (§§ 90-103).
 5. Laws repealed, when to take effect (§§ 110-111).

ARTICLE I.

State Commission in Lunacy.

- Section 1. Short title.
2. Definitions.
 3. Appointment, qualifications, terms of office and salaries of commissioners.
 4. Office and clerical force of commission.
 5. Official seal and execution of papers.
 6. General powers.
 7. Official visits.
 8. Regulations and forms.
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 10. State hospital districts; how defined.
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 13. Record of patients.
 14. Institutions to furnish information to commission.
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Section 1. Short title.— This chapter shall be known as the insanity law.

§ 2. Definitions.— When used in this chapter, the term **poor person** means a person who is unable to maintain himself and having no one legally liable and able to maintain him; the term, an **indigent person**, means one who has not sufficient property to support himself while insane, and the members of his family lawfully dependent upon him for support; the term **institution** means any hospital, asylum, building, buildings, house or retreat, authorized by law to have the care, treatment or custody of the insane; the term **commission** means the state commission in lunacy; the term **patient** means an insane person committed to an institution according to the provisions of this chapter.

§ 3. Appointment, qualifications, terms of office and salaries of commissioners.— There shall continue to be a state commission in lunacy, consisting of three commissioners, all of whom shall be citizens of this state. One of them, who shall be president of the commission, shall be a reputable physician, a graduate of an incorporated medical college, of at least ten years' experience in the actual practice of his profession, who has had five years' actual experience in the care and treatment of the insane and who has had experience in the management of institutions for the insane. He shall receive an annual salary of five thousand dollars. One of such commissioners shall be a reputable attorney and counsellor-at-law of the courts of this state of not less than ten years' standing, who shall receive an annual salary of three thousand dollars. The third commissioner shall be a reputable citizen, and shall receive ten dollars per day for actual services rendered as a member of the commission. Such salaries may be fixed by the governor, secretary of state and comptroller, at different amounts than those prescribed in this section, whenever in their discretion such amounts should be changed. Each commissioner shall receive annually twelve hundred dollars, payable monthly, in lieu of his traveling and incidental expenses. The full term of office of a commissioner shall be six years. Where the term of office of a commissioner expires at a time other than

the last day of December, the term of office of his successor is abridged so as to expire on the last day of December, preceding the time when such term would otherwise expire, and the term of office of each commissioner thereafter appointed shall begin on the first day of January. The commissioners shall be appointed by the governor, by and with the advice and consent of the senate.

§ 4. Office and clerical force of commission. — The commission shall be provided by the proper authorities with a suitably furnished office in the state capitol, where it shall hold stated meetings at least once in three months. It may hold other meetings, at such office or elsewhere, as it may deem necessary. It may employ a secretary, a stenographer and such other employes as may be necessary. The salaries and reasonable expenses of the commission and of the necessary clerical assistants shall be paid by the treasurer of the state on the warrant of the comptroller, out of any moneys appropriated for the support of the insane.

§ 5. Official seal and execution of papers.—The commission shall have an official seal. Every process, order or other paper issued or executed by the commission, may, by the direction of the commission, be attested, under its seal, by its secretary or by any member of the commission, and when so attested shall be deemed to be duly executed by the commission.

§ 6. General powers.—The commission is charged with the execution of the laws relating to the custody, care and treatment of the insane, as provided in this act, not including feeble-minded persons and epileptics as such and idiots. They shall examine all institutions, public and private, authorized by law to receive and care for the insane, and inquire into their methods of government and the management of all such persons therein. They shall examine into the condition of all buildings, grounds and other property connected with any such institution, and into all matters relating to its management. For such purpose each commissioner shall have free access to the grounds, buildings and

all books and papers relating to any such institution. All persons connected with any such institution shall give such information, and afford such facilities for any such examination or inquiry as the commissioners may require. The commission may, by order, appoint a competent person to examine the books, papers and accounts, and also into the general condition and management of any institution to the extent deemed necessary and specified in the order.

§ 7. Official visits.—The commission, or a majority thereof, shall visit every such institution at least twice in each calendar year. Such visits shall be made jointly or by a majority of the commission on such days and at such hours of the day or night, and for such length of time, as the visiting commissioners may choose. But each commissioner may make such other visits as he or the commission may deem necessary. Each visit shall include, to the fullest extent deemed necessary, an inspection of every part of each institution, and all the out-houses, places, buildings and grounds belonging thereto or used in connection therewith. The commissioners shall, from time to time, make an examination of all the records and methods of administration, the general and special dietary, the stores and methods of supply, and, as far as circumstances may permit, of every patient confined therein, especially those admitted since the preceding visit, giving such as may require it suitable opportunity to converse with the commissioners apart from the officers and attendants. They shall, as far as they deem necessary, examine the officers, attendants and other employes, and make such inquiries as will determine their fitness for their respective duties. At the next regular or special meeting of the commission, after any such visit, the visiting commissioners shall report the result thereof, with such recommendations for the better management or improvement of any such institution, as they may deem necessary. But such recommendations shall not be contrary to the doctrines of the particular school of medicine adopted by such institutions. The commissioners shall, from time to time, meet the managers or responsible authorities of such institutions, or as

many of the number as practicable, in conference; and consider, in detail, all questions of management and improvement of the institution, and shall also send to them, in writing, if approved by a majority of the commissioners, such recommendation in regard to the management and improvement of the institution as they may deem necessary or desirable.

§ 8. Regulations and forms.—The commission shall make such regulations in regard to the correspondence of the insane in custody as in its judgment will promote their interests, and it shall be the duty of the proper authorities of each institution to comply with and enforce such rules and regulations. All such insane shall be allowed to correspond without restriction with the county judge and district attorney of the county from which they were committed. The books of record and blank forms for the official use of the hospitals shall be uniform, and shall be approved by the commission.

§ 9. Annual report.—The commission shall, annually, report to the legislature its acts and proceedings for the year ending September thirtieth last preceding, with such facts in regard to the management of the institutions for the insane as it may deem necessary for the information of the legislature, including estimates of the amounts required for the use of the state hospitals and the reasons therefor; and also the annual reports made to the commission by the board of managers of each state hospital and by the State Charities Aid association.

§ 10. State hospital districts; how defined.—The state commission in lunacy shall divide the state into as many state hospital districts as there are state hospitals. No county shall be divided in such classification, unless more than one of the existing state hospitals be situated within such county. Whenever the commission shall deem it necessary to more conveniently care for the insane in the various hospitals, it may change the limits of such hospital districts. When a new state hospital shall be established, they shall again divide the state into hospital districts. Before any such change or re-establishment of hospital districts shall be made, the board of managers of each such hospital shall

be notified by the commission that they may be heard in regard thereto at a specified time and place. Such hospital districts shall be so defined that the number of patients in each district shall be in proportion, as nearly as practicable, to the accommodations which are or may be provided by the state hospital or hospitals within such district.

§ 11. Change of hospital districts and reassignment of patients.—When a change or re-establishment of state hospital districts shall be made, or a new state hospital district created, the commission shall make a report thereof, designating the counties included within each district affected thereby, and file the same with the secretary of state, and send a copy to the managers and superintendent of each state hospital, and to each judge of a court of record, each county superintendent of the poor, and each county clerk in the state, to be filed in his office.

§ 12. Record of medical examiners.—Any physician who receives a certificate as a medical examiner in lunacy shall file such original certificate in the office of the clerk of the county where he resides, and forward a certified copy thereof to the office of the commission within ten days after such certificate is granted. The commission shall keep in its office a record showing the name, residence and certificate of each duly qualified medical examiner, and shall immediately file in its office, when received, each duly certified copy of a medical examiner's certificate, and advise the examiner of its receipt and filing. No examiner shall be qualified until he has received from the commission an acknowledgment of the receipt and filing of his certificate.

§ 13. Record of patients.—The commission shall keep in its office, and accessible only to the commissioners, their secretary and clerk, except by the consent of the commission or one of its members, or an order of a judge of a court of record, a record showing:

1. The name, residence, sex, age, nativity, occupation, civil condition and date of commitment of every patient in custody in the several institutions for the care and treatment of insane persons in the state, and the name and residence of the

person making the petition for commitment, and of the persons signing such medical certificate, and of the judge making the order of commitment.

2. The name of the institution where each patient is confined, the date of admission, and whether brought from home or another institution, and if from another institution, the name of such institution, by whom brought, and the patient's condition.

3. The date of the discharge of each patient from such institution since the fifteenth day of May, eighteen hundred and eighty-nine, and whether recovered, improved or unimproved, and to whose care committed.

4. If transferred, for what cause, and to what institution; and if dead, the date and cause of death.

§ 14. Institutions to furnish information to commission.—The authorities of the several institutions for the insane shall furnish to the commission the facts mentioned in the last preceding section, and such other obtainable facts relating thereto as the commission may, from time to time, in the just and reasonable discharge of its duties, require of them, with the opinion of the superintendent thereon, if requested. The superintendent or person in charge of such institutions, whether public or private, must, within ten days after the admission of an insane person thereto, cause a true copy of the medical certificate and order on which such person shall have been received, to be made and forwarded to the office of the commission; and when a patient shall be discharged, transferred or shall die therein, such superintendent or person in charge shall, within three days thereafter, send the information to the office of the commission, in accordance with the forms prescribed by it.

§ 15. Commission to provide for the prospective wants of the insane.—The commission shall provide sufficient accommodations for the prospective wants of the poor and indigent insane of the state. To prevent overcrowding in the state hospitals, it shall recommend to the legislature the establishment of other state hospitals, in such parts of the state as in their judgment will best meet the requirements of such insane. It shall

also furnish to the legislature in each year, an estimate of the probable number of patients who will become inmates of the respective state hospitals during the year beginning October first next ensuing, and the cost of all the additional buildings and equipments, if any, which will be required to carry out the provisions of this chapter relating to the care, custody and treatment of the poor and indigent insane of the state. No money shall be expended by the managers of a state hospital for the erection of additional buildings, or for unusual repairs or improvements of state hospitals, except upon plans and specifications to be approved by the commission. The cost of such buildings as are to be occupied by patients erected on the grounds of existing state hospitals, including the necessary equipment for heating, lighting, ventilating, fixtures and furniture, shall, in no case exceed the proportion of five hundred and fifty dollars per capita for the patients to be accommodated therein. No municipality of the state shall have the power to modify or change plans or specifications for the erection, repair or improvement of state hospital buildings or the plumbing or sewerage connected therewith.

§ 16. Director of the pathological institute.—The commission shall, after a special civil service examination therefor, appoint a director of the pathological institute, who shall perform, under the direction of the commission, such duties relating to pathological research as may be required for all of the state hospitals for the insane. His office and laboratory shall be in the city of New York. He shall receive an annual salary to be fixed by the commission, subject to the approval of the governor.

ARTICLE II.

Institutions for the Care, Treatment and Custody of the Insane.

Section 30. State hospitals for the poor and indigent insane.

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46. Actions against commissioners in lunacy, or officers or employes of state hospitals.
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§ 30. State hospitals for the poor and indigent insane.—There shall continue to be the following hospitals for the care and treatment of the poor and indigent insane of the state which are hereby declared to be corporations; but other insane persons, who are residents of the state, may be admitted when there is room therein for them:

1. Utica State hospital, at the city of Utica, in the county of Oneida.
2. Willard State hospital, in the town of Ovid, county of Seneca.
3. Hudson River State hospital, near the city of Poughkeepsie, in the county of Dutchess.
4. Buffalo State hospital, in the city of Buffalo, county of Erie.
5. Middletown State Homoeopathic hospital, at Middletown, in the county of Orange.
6. Binghamton State hospital, at Binghamton, in the county of Broome.

7. Rochester State hospital, at the city of Rochester, in the county of Monroe.

8. Saint Lawrence State hospital, near the city of Ogdensburg, in the county of Saint Lawrence.

9. Collins State Homeopathic hospital for the insane, in the town of Collins, county of Erie.

10. Long Island State hospital, at Kings Park, Suffolk county, Long Island.

11. Manhattan State hospital, in New York city and at Central Islip, Suffolk county.

§ 31. Managers of state hospitals and their terms of office.— Each state hospital shall be under the control and management of its present board of managers or trustees, subject to the statutory powers of the commission, and to the provisions of this section as to the modification of their terms of office and the number of such trustees. Such trustees or managers shall hereafter be termed managers. On or before the thirty-first of December, after this chapter takes effect, and at which time the terms of the managers then in office shall expire, the governor shall appoint a board consisting of seven members for each state hospital by so arranging terms of one, two, three, four, five, six and seven years, that a term shall expire on the thirty-first day of December in each year, beginning with the year eighteen hundred and ninety-seven. If a vacancy occur otherwise than by expiration of term, the appointment of a manager to fill such vacancy shall be for the unexpired term of the manager whose office became vacant; but the provisions of this section shall not apply to the Middletown State Homeopathic hospital at Middletown, in the county of Orange, where the number of managers shall be thirteen.

§ 32. Appointment and removal of managers.— The managers and their successors appointed after the appointment and classification made pursuant to the preceding section, shall severally be appointed by the governor, by and with the advice and consent of the senate, as often as a vacancy shall occur by expiration of term, or otherwise; and they may severally continue in office until their successors are appointed and have qualified; and they shall

be subject to removal by the governor upon cause shown and an opportunity to be heard. All managers hereafter appointed shall reside in the hospital district in which the hospital is situated for which they are respectively appointed, but no person shall be eligible to the office of manager who is either an elective state officer or a member of the legislature, and if any such manager shall become a member of the legislature or such elective state officer, his office as manager shall be vacant. All the managers of the Middletown State Homeopathic hospital and of the Collins State Homeopathic hospital may be appointed from any portion of the state and shall be adherents of homeopathy. If any manager fails for one year to attend the regular meetings of the board of which he is a member, his office shall be vacant, and the board by resolution shall so declare, and a certified copy of every such resolution shall forthwith be transmitted by the board to the governor.

§ 33. General powers and duties of boards of managers.— Subject to the statutory powers of the commission, each board of managers shall have the general direction and control of all the property and concerns of the institution over which they are respectively appointed, not otherwise provided by law. They may acquire and hold in the name of and for the people of the state of New York by grant, gift, devise or bequest, property to be applied to the maintenance of insane persons in and for the general use of the hospital. All lands necessary for the use of state hospitals shall be acquired by condemnation as lands for public use are acquired, except those by gift, devise or purchase, the terms of which purchase shall be approved by the commission and the state comptroller. No public street or road for railroad or other purposes shall be opened through the lands of a state hospital, unless the legislature, by special act, consents thereto. The managers shall not receive any compensation for their services, but shall receive actual and necessary traveling and other expenses, to be paid after audit as other current expenditures of the hospital. Each board shall:

1. Take care of the general interests of the hospital and see

that its design is carried into effect, according to law, and its by-laws, rules and regulations.

2. Establish such by-laws, rules and regulations as they may deem necessary and expedient for regulating the appointments and duties of officers and employes of the hospital, and for the internal government, discipline and management of the same.

3. Maintain an effective inspection of the hospital, for which purpose a majority of the board shall visit the hospital at least every three months, and the whole board once a year, and at such other times as may be prescribed in the by-laws.

4. Keep in a book provided for that purpose, a fair and full record of their doings, which shall be open at all times to the inspection of the governor of the state, the commissioners in lunacy, or any person appointed by the governor, the commission in lunacy, or either house of the legislature to examine the same.

5. Cause to be typewritten within ten days after each meeting of such managers, or a committee thereof, the minutes and proceedings of such meeting, and cause a copy thereof to be sent forthwith to each member of such board and to the commission.

6. Enter in a book kept by them for that purpose, the date of each of their visits, and the condition of the hospital and patients, and all such managers present shall sign the same.

7. Make to the commission, in October of each year, a detailed report of the results of their visits and inspection, with suitable suggestions and such other matters as may be required of them by the commission, for the year ending on the thirtieth day of September preceding the date of such report. The resident officers shall admit such managers into every part of the hospital and its buildings, and exhibit to them on demand all the books, papers, accounts and writings belonging to the hospital or pertaining to its business, management, discipline or government, and furnish copies, abstracts and reports whenever required by them.

§ 34. Appointments of officers by managers.—Each of such boards shall continue to appoint for its hospital, as often as vacancies occur therein:

1. A superintendent, who shall be a well-educated physician

and a graduate of an incorporated medical college, of at least five years' actual experience in an institution for the care and treatment of the insane. The superintendents and all assistant physicians of homeopathic hospitals for the insane shall be homeopathic physicians, but such homeopathic physicians shall not be eligible to appointment in or transfer to state hospitals that are not for homeopathic treatment.

2. A treasurer, who shall keep all the books, records and papers pertaining to his official duties, in an office situated where the board of managers may direct, who shall give an undertaking to the people of the state for the faithful performance of his trust, with sureties to be approved by the county judge of the county or a justice of the supreme court of the judicial district in which such hospital is located, and in such amount as the comptroller of the state shall name. Such superintendent or treasurer may be removed by a vote of a majority of the board of managers for cause stated in writing, an opportunity having been given them to be heard, and such action shall be final.

§ 35. General powers and duties of superintendent. — The superintendent of each hospital shall be its chief executive officer, and in his absence or sickness, the first assistant physician or other officer designated by the superintendent shall perform the duties and be subject to the responsibilities of the superintendent. Subject to the by-laws and regulations established by the board of managers, the superintendent shall have the general superintendence of the buildings, grounds and farm, together with their furniture, fixtures and stock, and the direction and control of all persons therein, and shall:

1. Personally maintain an effective supervision and inspection of all parts of the hospital and generally direct the care and treatment of the patients. To this end the superintendent shall personally examine the condition of each patient, within five days after his admission to the hospital, and shall regularly visit all of the wards or apartments for patients at such times as the rules and regulations of the hospital shall prescribe.

2. Appoint such resident officers, including a woman physician,

and such employes as he may think proper and necessary for the economical and efficient performance of the business of the hospital and prescribe their duties and discharge any of such employes in his discretion. The number of such resident officers and employes shall be determined by the commission. The superintendent may remove any resident officer for cause stated in writing, after an opportunity to be heard, and such action of the superintendent shall be final. Upon any such removal he shall make a record thereof, with the reasons therefor, under the appropriate head in one of the books of the hospital.

The superintendent, assistant physicians, including the woman physician, steward and matron shall constantly reside in the hospital, or on the premises, and shall be designated the resident officers of the hospital. The assistant physicians, including the woman physician, shall be graduates of an incorporated medical college, and shall possess such other qualifications as may be required by law.

3. Transmit, by mail, to the commission in lunacy, within five days after any such discharge, information of such discharge, and of the cause thereof. The commission shall preserve the name of such officer, or employe, with the facts relating to his discharge, in a book provided for that purpose.

4. Appoint such number of special policemen as may be determined, whose duty it shall be, under the orders of the superintendent, to arrest and return to the hospital insane persons who may escape therefrom, and to preserve peace and good order in such hospital and to fully protect the grounds, buildings and patients. Such policemen shall possess all the powers of peace officers on the grounds and premises of such hospital and to the extent of one hundred yards beyond such grounds. The appointment of special policemen, in pursuance hereof, shall not be deemed to supersede, on the grounds and premises of such hospital, the authority of peace officers of the jurisdiction within which such hospital is located.

5. Give such orders and instructions as he may deem best calculated to insure good conduct, fidelity and economy in every department of labor and expense.

6. Maintain salutary discipline among all who are employed in the institution and enforce strict compliance with his instructions and uniform obedience to all rules and regulations of the hospital.

7. Establish and supervise a training school for attendants and nurses, under rules and regulations of the hospital.

8. Cause full and fair accounts and records of all his doings and of the entire business and operations of the hospital, to be kept regularly, from day to day, in books provided for that purpose.

9. See that all such accounts and records are fully made up to the last day of September in each year, and that the principal facts and results, with his report thereon, be presented to the managers within thirty days thereafter, who shall incorporate it in their report to the commission.

10. Keep a book, in which he shall cause to be entered at the time of reception of any patient, his name, residence and occupation, and the date of such reception, by whom brought and by what authority and on whose petition committed, and an abstract of all orders, warrants, requests, petitions, certificates and other papers accompanying such person.

§ 36. The general and medical superintendents of the Long Island and Manhattan state hospitals.—There shall be a general superintendent of the Long Island state hospital and a general superintendent of the Manhattan state hospital, each of whom, as often as vacancies occur, shall be appointed by the board of managers of each such hospital. General superintendents shall be subject to removal by a vote of a majority of such board for cause stated in writing, after an opportunity to be heard, and such action shall be final. Such general superintendent shall possess the same qualifications as the superintendent of other state hospitals, and shall have the same general powers and duties as provided by section thirty-five of this chapter. The general superintendent of the Long Island State hospital shall appoint two medical superintendents, one for the part of the hospital located at Kings Park, and one for that at Brooklyn. The general superin-

tendent of the Manhattan State hospital shall appoint three medical superintendents, two of whom shall reside at Ward's island, one for the men's department and one for the women's department, and one at Central Islip. Each general superintendent shall appoint a steward for each hospital and as many matrons as the necessities of the hospital may require. The medical superintendents and other resident officers may be removed by such general superintendents, for cause stated in writing, after an opportunity to be heard, and such action of the general superintendents shall be final. The medical superintendents so appointed shall have the same statutory qualifications as superintendents of other state hospitals. Each shall have the powers and perform the duties prescribed by the general superintendent, and shall be subject to the direction and control of such general superintendent and the rules and regulations of the hospital.

§ 37. Meetings of superintendents.—The superintendents of the several state hospitals, or their representatives, including the general superintendents of the Long Island and Manhattan state hospitals and, in the discretion of each board of managers, one member of each board to be designated by it, shall meet at least once in every month, on a day to be appointed by the commission, at the office of the commission at Albany, or at such other place as may be designated by it, to consult with such commission with reference to matters relating to the care and maintenance of the state hospitals and particularly with reference to the purchase of supplies for their use.

§ 38. Salaries of officers and wages of employes.—The commission, from time to time, with the approval in writing of the governor, secretary of state and comptroller, shall fix the annual salaries of the resident officers and treasurers of the state hospitals, which shall be uniform for like services. They shall classify the other officers and employes into grades, and determine the salaries and wages to be paid in each grade, which shall be uniform in all the hospitals. The salaries and wages shall be included in the monthly estimates and paid in the same manner as other expenses of the state hos-

pitals. Food supplies shall be allowed to officers and employes and the families of the superintendents, general superintendents, medical superintendents, first assistant physicians and stewards. Food supplies shall continue to be allowed the families of the assistant physicians, residing at the hospitals on January first, eighteen hundred and ninety-six. Such families shall consist only of the wives and minor children of such officers; no other persons, except those regularly employed, shall be allowed rooms and maintenance, except at a rate to be fixed by the commission; such supplies shall be drawn from the supplies provided for general hospital use.

§ 39. Monthly estimates of expenses; contingent fund.—The superintendent of each of the state hospitals shall, on or before the fifteenth day of each month, cause to be prepared triplicate estimates in minute detail, of the expenses required for the hospital of which he is superintendent, for the ensuing month. He shall submit two of such triplicates to the commission and file the third copy in the office of the superintendent. The commission may revise estimates for supplies or other expenditures either as to quantity, quality, or the estimated cost thereof, and shall certify that it has carefully examined the same and that the articles contained in such estimate, as approved or revised by it, are actually required for the use of the hospital, and shall thereupon present such estimate and certificate to the comptroller. Upon the revision and approval of such estimate by the commission, the comptroller shall authorize the boards of managers to make drafts on the comptroller, as the money may be required for the purposes mentioned in such estimates, which drafts shall be paid on the warrant of the comptroller, out of the funds in the treasury of the state held for the care of the insane and the maintenance of state hospitals. In every such estimate, there shall be a sum named, not to exceed one thousand dollars, as a contingent fund for which no minute detailed statement need be made. No expenditure shall be made from such contingent fund, except in case of actual emergency, requiring immediate action and which can not

be deferred without incurring loss or danger to the hospital or the inmates thereof. No money shall be expended for the use of any of the state hospitals, except as provided in this section. Libraries may be furnished to any state hospital by the regents of the university of the state of New York, subject to regulations adopted by them and the commission, the expense of which shall be included in the monthly estimates of the hospital.

§ 40. Powers and duties of treasurer.—The treasurer of each hospital shall:

1. Have the custody of all moneys received from the comptroller on account of estimates made by the superintendent and revised and approved by the commission, and keep an accurate account thereof.

2. Have the custody of all bonds, notes, mortgages and other securities and obligations belonging to the hospital.

3. Receive all money for the care and treatment of private patients and other sources of revenue of the hospital.

4. Deposit all such money in a bank designated by the comptroller conveniently near the hospital, in his name as treasurer, and send each month to the comptroller, to the commission and to the board of managers a statement, showing the amount so received and deposited, and from whom and for what received, and when such deposits were made. Such statement of deposit shall be certified by the proper officer of the bank receiving such deposit. The treasurer shall make an affidavit to the effect that the sum so deposited is all the money received by him, from any source of hospital income, up to the time of the last deposit appearing on such statement. A bank designated by the comptroller to receive such deposits shall, before any deposit is made, execute a bond to the people of the state, in a sum approved by the comptroller, for the safe keeping of the funds deposited.

5. Pay out the money deposited for the uses of the state hospital, upon the voucher of the steward, approved by the superintendent in accordance with the estimates made by the superintendent and revised and approved by the commission.

6. Keep full and accurate accounts of all receipts and payments, in the manner directed in the by-laws and according to books and forms prescribed and furnished by the commission.

7. Balance all accounts on his books, annually, on the last day of September, and make a statement thereof and an abstract of the receipts and payments of the past year and deliver the same, within ten days, to the executive committee of the managers, who shall compare the same with the books and vouchers and verify the results by further comparison with the books of the steward, and certify in regard to the correctness thereof to the managers at their next meeting.

8. Render an account of the state of the books and the funds and other property in his custody, whenever required by the managers, or the commission.

9. Execute a release and satisfaction of a mortgage, judgment or other lien or debt in favor of the hospital, when paid.

§ 41. Monthly statements of receipts and expenditures; vouchers.—The treasurer of each state hospital shall, on or before the fifteenth day of each month, make to the comptroller and to the commission a full and perfect statement of all the receipts and expenditures, specifying the several items, for the last preceding calendar month. Such statement shall be verified by the affidavit of the treasurer attached thereto, in the following form:

I,, treasurer of the state hospital, do solemnly swear that I have deposited in the bank designated by law for such purpose, all the moneys received by me on account of the hospital during the last month, and I do further swear that the foregoing is a true abstract of all the moneys received and payments made by me or under my direction as such treasurer during the month ending on the day of, 18..

There shall also be attached thereto the affidavit of the steward, to the effect that the goods and other articles therein specified were purchased and received by him, or under his directions, at the hospital; that the goods were purchased at a fair cash market price and paid for in cash, or on credit, not exceeding thirty days,

and that he, or any person in his behalf, had no pecuniary or other interest in the articles purchased; that he received no pecuniary or other benefit therefrom in the way of commission, percentage, deductions or presents, or in any other manner whatever, directly or indirectly; that the articles contained in such bill were received at the hospital; that they conformed in all respects to the invoiced goods received and ordered by him, both in quality and quantity. Such statement shall be accompanied by the voucher showing the payment of the several items contained in the statement and the approval thereof by the superintendent, the amount of such payment and for what the payment was made. Such approval may be contained on an audit sheet, which shall refer to each voucher approved by the superintendent, giving the number of voucher, the name of the claimant and the amount at which it was approved. Such vouchers shall be examined by the commission and compared with the estimates made for the month for which the statement is rendered, and if found correct shall be indorsed and forwarded by the commission, with the statement to the comptroller. If any voucher is found objectionable, the comptroller shall indorse his disapproval thereon, with the reason therefor, and return it to the treasurer, who shall present it to the superintendent for correction, and when corrected return it to the comptroller. All such vouchers shall be filed in the office of the comptroller.

§ 42. Actions to recover moneys due the hospital.—The treasurer of any state hospital may bring an action in the name of the hospital, to recover for the use thereof:

1. The amount due upon any note or bond in his hands belonging to the hospital.

2. The amount charged and due, according to the by-laws of the hospital, for the support of any patient therein, or for actual disbursements made in his behalf for necessary clothing and traveling expenses.

3. Upon any cause of action accruing to the hospital.

§ 43. General powers and duties of the steward.—The steward, under the direction of the superintendent, shall be accountable

for the careful keeping and economical use of all furniture, stores and other articles provided for the hospital, and under the direction of the superintendent, shall:

1. Make all purchases for the hospital and preserve the original bills and receipts thereof, and keep full and accurate accounts of the same.

2. Prepare and keep the pay-rolls of the hospital.

3. Keep the accounts for the support of patients and expenses incurred in their behalf, and furnish the treasurer statements thereof as they fall due.

4. Notify the treasurer of the death or discharge of any reimbursing or pay patient, within five days after such death or discharge.

§ 44. Purchases.— All purchases of supplies for the use of the hospital shall be made for cash or on credit or time, not exceeding sixty days; every voucher shall be duly filled up, and with every abstract of vouchers paid, there shall be proof on oath that the voucher was properly filled up and the money paid. No expenditures for supplies or other purposes shall be made by the board of managers of any state hospital for the benefit of such hospital, by contract or otherwise, unless in conformity with the provisions of this act in relation to estimates. No manager or officer of a hospital shall be interested, directly or indirectly, in the furnishing of material, labor or supplies for the use of the hospital, nor shall any manager or officer act as attorney or counsel for such hospital. Contracts may be entered into jointly, by the representatives of the managers of two or more of the state hospitals, for such staple articles of supplies, as it may be found feasible, by the commission, for the hospitals to purchase in bulk under such contracts. Such contracts shall not be let except in conformity with the provisions of this act relating to estimates. Such contracts shall be executed by one of such representatives of the managers to be designated by them. The state hospitals may manufacture such supplies and materials to be used in any of such hospitals as can be economically made therein.

§ 45. Official oath.— Each superintendent, treasurer and stew-

ard of a hospital, before entering upon his duties as such, shall take the constitutional oath of office and file the same in the office of the secretary of state.

§ 46. Actions against commissioners in lunacy, or officers of state hospitals.—No civil action shall be brought in any court against the commission or a commissioner in lunacy, or an officer or manager of a state hospital, for alleged damages because of any act done or failure to perform any act, while discharging their official duties, without leave of a judge of the supreme court, first had and obtained. Any just claim for damages against such commission or commissioner, officer or employe for which the state would be legally or equitably liable, may be paid out of any moneys appropriated for the care of the insane.

§ 47. Private institutions for the insane.—No person, association or corporation shall establish or keep an institution for the care, custody or treatment of the insane, for compensation or hire, without first obtaining a license therefor from the commission. Every application for such license shall be accompanied by a plan of the premises proposed to be occupied, describing the capacities of the buildings for the uses intended, the extent and location of grounds appurtenant thereto, and the number of patients proposed to be received therein, with such other information, and in such form, as the commission may require. The commission shall not grant any such license without first having made an examination of the premises proposed to be licensed, and being satisfied that they are substantially as described, and are otherwise fit and suitable for the purposes for which they are designed to be used, and that such license should be granted. The commission may, at any and all times, examine and ascertain how far a licensed institution is conducted in compliance with the license therefor, and after due notice to the institution and opportunity for it to be heard, the commission having made a record of the proceeding upon such hearing, may, if the interests of the inmates of the institution so demand, for just and reasonable cause then appearing and to be stated in its order, amend or

revoke any such license by an order to take effect within such time after the service thereof upon the licensee, as the commission shall determine.

§ 48. Recommendations of commission.—The authorities of each institution for the insane shall place on file in the office of the institution, the recommendations made by the commissioners as a result of their visits, for the purpose of consultation by such authorities, and for reference by the commissioners upon their visits.

§ 49. Visitors to state hospitals.—Justices of the supreme court are authorized to appoint visitors to state hospitals, upon nomination of the state charities aid association, as provided by law.

ARTICLE III.

Commitment, Custody and Discharge of the Insane.

Section 60. Order for commitment of an insane person.

61. Medical examiners in lunacy; certificates of lunacy.
62. Proceedings to determine the question of insanity.
63. Appeal from order of commitment.
64. Costs of commitment.
65. Liability for care and support of poor and indigent insane.
66. Liability for the care and support of the insane, other than the poor and indigent.
67. Duties of local officers in regard to the insane.
68. Duty of committee and others to care for the insane; apprehension and confinement of a dangerous insane person.
69. Patients admitted under special agreement.
70. Entries in case book.
71. Transfer of patients when hospital is overcrowded.
72. Investigation into the care and treatment of the insane.
73. Habeas corpus.
74. Discharge of patients.
75. Clothing and money to be furnished discharged patients.

Section 76. Transfer of nonresident patients.

77. Insane Indians.

§ 60. Order for commitment of an insane person.—A person alleged to be insane and who is not in confinement on a criminal charge, may be committed to and confined in an institution for the custody and treatment of the insane, upon an order made by a judge of a court of record of the city or county, or a justice of the supreme court of the judicial district, in which the alleged insane person resides or may be, adjudging such person to be insane, upon a certificate of lunacy made by two qualified medical examiners in lunacy, accompanied by a verified petition therefor, or upon such certificate and petition, and after a hearing to determine such question, as provided in this article. The commission shall prescribe and furnish blanks for such certificates and petitions, which shall be made only upon such blanks. An insane person shall be committed only to a state hospital, a duly licensed institution for the insane, or the Matteawan State hospital, or to the care and custody of a relative or committee, as hereinafter provided. No idiot shall be committed to or confined in a state hospital. But any epileptic or feeble-minded person becoming insane may be committed as an insane person to a state hospital for custody and treatment therein.

§ 61. Medical examiners in lunacy; certificates of lunacy.—The certificate of lunacy must show that such person is insane and must be made by two reputable physicians, graduates of an incorporated medical college, who have been in the actual practice of their profession at least three years, and have filed with the commission a certified copy of the certificate of a judge of a court of record, showing such qualifications in accordance with forms prescribed by the commission.

Such physicians shall jointly make a final examination of the person alleged to be insane within ten days next before the granting of the order. The date of the certificate of lunacy shall be the date of such joint examination. Such certificate of lunacy shall be in the form prescribed by the commission, and shall contain the facts and circumstances upon

which the judgment of the physicians is based and show that the condition of the person examined is such as to require care and treatment in an institution for the care, custody and treatment of the insane.

Neither of such physicians shall be a relative of the person applying for the order or of the person alleged to be insane, or a manager, superintendent, proprietor, officer, stockholder, or have any pecuniary interest, directly or indirectly, or be an attending physician in the institution to which it is proposed to commit such person.

§ 62. Proceedings to determine the question of insanity.—Any person with whom an alleged insane person may reside or at whose house he may be, or the father or mother, husband or wife, brother or sister, or the child of any such person, and any overseer of the poor of the town, and superintendent of the poor of the county in which any such person may be, may apply for such order, by presenting a verified petition containing a statement of the facts upon which the allegation of insanity is based, and because of which the application for the order is made. Such petition shall be accompanied by the certificate of lunacy of the medical examiners, as prescribed in the preceding section. Notice of such application shall be served personally, at least one day before making such application, upon the person alleged to be insane, and if made by an overseer or superintendent of the poor, also upon the husband or wife, father or mother or next of kin of such alleged insane person, if there be any such known to be residing within the county, and if not, upon the person with whom such alleged insane person may reside, or at whose house he may be. The judge to whom the application is to be made may dispense with such personal service, or may direct substituted service to be made upon some person to be designated by him. He shall state in a certificate to be attached to the petition his reason for dispensing with personal service of such notice, and if substituted service is directed, the name of the person to be served therewith.

The judge to whom such application is made may, if no demand

is made for a hearing in behalf of the alleged insane person, proceed forthwith to determine the question of insanity, and if satisfied that the alleged insane person is insane, may immediately issue an order for the commitment of such person to an institution for the custody and treatment of the insane. If, however, it appears that such insane person is harmless and his relatives or a committee of his person are willing and able to properly care for him, at some place other than such institution, upon their written consent, the judge may order that he be placed in the care and custody of such relatives or such committee. Such judge may, in his discretion, require other proofs in addition to the petition and certificate of the medical examiners.

Upon the demand of any relative or near friend in behalf of such alleged insane person, the judge shall, or he may upon his own motion, issue an order directing the hearing of such application before him at a time not more than five days from the date of such order, which shall be served upon the parties interested in the application and upon such other persons as the judge, in his discretion, may name. Upon such day, or upon such other day to which the proceeding shall be regularly adjourned, he shall hear the testimony introduced by the parties and examine the alleged insane person if deemed advisable, in or out of court, and render a decision in writing as to such person's insanity. If it be determined that such person is insane, the judge shall forthwith issue his order committing him to an institution for the custody and treatment of the insane, or make such other order as is provided in this section. If such judge can not hear the application he may, in his order directing the hearing, name some referee, who shall hear the testimony and report the same forthwith, with his opinion thereon, to such judge, who shall, if satisfied with such report, render his decision accordingly. If the commitment be made to a state hospital, the order shall be accompanied by a written statement of the judge as to the financial condition of the insane person and of the persons legally liable for his maintenance as far as can be ascertained. The superintendent of such state hospital shall

be immediately notified of such commitment, and he shall, at once, make provisions for the transfer of such insane person to such hospital.

The petition of the applicant, the certificate in lunacy of the medical examiners, the order directing a further hearing as provided in this section, if one be issued, and the decision of the judge or referee, and the order of commitment shall be presented at the time of the commitment to the superintendent or person in charge of the institution to which the insane person is committed, and verbatim copies shall be forwarded by such superintendent or person in charge and filed in the office of the state commission in lunacy. The relative, or committee, to whose care and custody any insane person is committed, shall forthwith file the petition, certificate and order, in the office of the clerk of the county where such order is made, and transmit a certified copy of such papers, to the commission in lunacy, and procure and retain another such certified copy.

The superintendent or person in charge of any institution for the care and treatment of the insane may refuse to receive any person upon any such order, if the papers required to be presented shall not comply with the provisions of this section, or if in his judgment, such person is not insane within the meaning of this statute, or if received, such person may be discharged by the commission. No person shall be admitted to any such institution under such order after the expiration of five days from and inclusive of the date thereof.

§ 63. Appeal from order of commitment. — If a person ordered to be committed, pursuant to this chapter, or any friend in his behalf, is dissatisfied with the final order of a judge or justice committing him, he may, within ten days after the making of such order appeal therefrom to a justice of the supreme court other than the justice making the order, who shall cause a jury to be summoned as in case of proceedings for the appointment of a committee for an insane person, and shall try the question of such insanity in the same manner as in proceedings for the appointment of a committee. Before such appeal shall be heard,

such person shall make a deposit or give a bond, to be approved by a justice of the supreme court, for the payment of the costs of the appeal, if the order of commitment is sustained. If the verdict of the jury be that such person is insane, the justice shall certify that fact and make an order of commitment as upon the original hearing. Such order shall be presented, at the time of the commitment of such insane person, to the superintendent or person in charge of the institution to which the insane person is committed, and a copy thereof shall be forwarded to the commission by such superintendent or person in charge and filed in the office thereof. Proceedings under the order shall not be stayed pending an appeal therefrom, except upon an order of a justice of the supreme court, and made upon a notice, and after a hearing, with provisions made therein for such temporary care or confinement of the alleged insane person as may be deemed necessary.

If a judge shall refuse to grant an application for an order of commitment of an insane person proved to be dangerous to himself or others, if at large, he shall state his reasons for such refusal in writing, and any person aggrieved thereby may appeal therefrom in the same manner and under like conditions as from an order of commitment.

§ 64. Costs of commitment.—The costs necessarily incurred in determining the question of the insanity of a poor or indigent person and in securing his admission into a state hospital, and the expense of providing proper clothing for such person, in accordance with the rules and regulations adopted by the commission, shall be a charge upon the town, city or county securing the commitment. Such costs shall include the fees allowed by the judge or justice ordering the commitment to the medical examiners. If the person sought to be committed is not a poor or indigent person, the costs of the proceedings to determine his insanity and to secure his commitment, as provided in this article, shall be a charge upon his estate, or shall be paid by the persons legally liable for his maintenance. If in such proceedings, the alleged insane person is determined not to be insane, the

judge or justice may, in his discretion, charge the costs of the proceedings to the person making the application for an order of commitment, and judgment may be entered for the amount thereof and enforced by execution against such person.

§ 65. Liability for care and support of poor and indigent insane.—All poor and indigent insane persons not in confinement under criminal proceedings, shall, without unnecessary delay, be transferred to a state hospital and there wholly supported by the state. The costs necessarily incurred in the transfer of patients to state hospitals shall be a charge upon the state. The commission shall secure from relatives or friends who are liable or may be willing to assume the costs of support of inmates of state hospitals supported by the state, reimbursement, in whole or in part, of the money thus expended.

§ 66. Liability for the care and support of the insane other than the poor and indigent.—The father, mother, husband, wife and children of an insane person, if of sufficient ability, and the committee or guardian of his person and estate, if his estate is sufficient for the purpose, shall cause him to be properly and suitably cared for and maintained.

The commission and the superintendent of the poor of the county, and the overseer of the poor of the town where any such insane person may be, or in the city of New York, the commissioners of public charities, and in Brooklyn, the commissioners of charities and correction, may inquire into the manner in which any such person is cared for and maintained; and if, in the judgment of any of them, he is not properly or suitably cared for, may apply to a judge of a court of record for an order to commit him to a state hospital under the provisions of this article, but such order shall not be made unless the judge finds and certifies in the order that such insane person is not properly or suitably cared for by such relative or committee, or that it is dangerous to the public to allow him to be cared for and maintained by such relative or committee.

The costs and charges of the commitment and trans-

fer of such insane person to a state hospital shall be paid by the committee, or the father, mother, husband, wife or children of such person, to be recovered in an action brought in the name of the people by the commission, the superintendent of the poor of the county, or the overseer of the poor of the town where such insane person may be, or in the city of New York in the name of the commissioners of public charities, and in the city of Brooklyn in the name of the commissioners of charities and correction.

§ 67. Duties of local officers in regard to their insane.—All county superintendents of the poor, overseers of the poor and other city, town or county authorities, having duties to perform relating to the insane poor, are charged with the duty of seeing that all poor and indigent insane persons within their respective municipalities, are timely granted the necessary relief conferred by this chapter, and, when so ordered by a judge, as herein provided, or by the commission, shall see that they are, without unnecessary delay, transferred to the proper institutions provided for their care and treatment as the wards of the state. Before sending a person to any such institution, they shall see that he is in a state of bodily cleanliness and comfortably clothed with new clothing, in accordance with the regulations prescribed by the commission. The commission may, by order, direct that any person it deems unsuitable therefor shall not be so employed or act as such attendant.

Each patient shall be sent to the state hospital, within the district embracing the county from which he is committed, except that the commission may, in their discretion, direct otherwise, but private or public insane patients, for whom homeopathic care and treatment may be desired by their relatives, friends or guardians, may be committed to the Middletown State Homeopathic hospital, or to the Collins State Homeopathic hospital, from any of the counties of the state, in the discretion of the judge granting the order of commitment; and the hospital to which any patient is ordered to be sent shall, by and

under the regulations made by such commission, send a trained attendant to bring the patient to the hospital. Each female committed to any institution for the insane shall be accompanied by a female attendant, unless accompanied by her father, brother, husband, or son. After the patient has been delivered to the proper officers of the hospital, the care and custody of the municipality from which he is sent shall cease.

§ 68. Duty of committee and others to care for the insane; apprehension and confinement of a dangerous insane person.—When an insane person is possessed of sufficient property to maintain himself, or his father, mother, husband, wife or children are of sufficient ability to maintain him, and his insanity is such as to endanger his own person, or the person and property of others, the committee of his person and estate, or such father, mother, husband, wife, or children must provide a suitable place for his confinement, and there maintain him in such manner as shall be approved by the proper legal authority. The county superintendent of the poor and the overseers of the poor of towns and cities, the commissioners of public charities in the city of New York, and the commissioners of charities and correction in the city of Brooklyn, are required to see that the provisions of this section are carried into effect in the most humane and speedy manner.

Upon the refusal or neglect of a committee, guardian or relative of an insane person to cause him to be confined, as required in this chapter, the officers named in this section shall apply to a judge of a court of record of the city or county, or to a justice of the supreme court of the judicial district in which such insane person may reside or be found, who, upon being satisfied, upon proper proofs, that such person is dangerously insane and improperly at large, shall issue a precept to one or more of the officers named, commanding them to apprehend and confine such insane person in some comfortable and safe place; and such officers in apprehending such insane person shall possess all the powers of a peace officer executing a warrant of arrest in a criminal proceeding. Unless an order of commitment has been previously granted,

such officers shall forthwith make application for the proper order for his commitment to the proper institution for the care, custody and treatment of the insane, as authorized by this chapter, and if such order is granted, such officer shall take the necessary legal steps to have him transferred to such institution. In no case shall any such insane person be confined in any other place than a state hospital or duly licensed institution for the insane, for a period longer than ten days, nor shall such person be committed as a disorderly person to any prison, jail or lockup for criminals, unless he be violent and dangerous, and there is no other suitable place for his confinement, nor shall he be confined in the same room with a person charged with or convicted of crime.

Any person apparently insane, and conducting himself in a manner which in a sane person would be disorderly, may be arrested by any peace officer and confined in some safe and comfortable place until the question of his sanity be determined, as prescribed by this chapter. The officer making such arrest shall immediately notify the superintendent of the poor of the county, or the overseers of the poor of the town or city, or, in the city of New York, the commissioners of public charities, or, in the city of Brooklyn, the commissioners of charities and correction, who shall forthwith take proper measures for the determination of the question of the insanity of such person.

§ 69. Patients admitted under special agreement.—The managers of a state hospital may authorize the superintendent to admit thereto, under special agreement, insane patients, who are residents of the state, other than poor and indigent insane persons, when there is room for such insane therein. But no patient shall be permitted to occupy more than one room in any state hospital, nor shall any patient, his friends or relatives, be permitted to pay for his care and treatment therein a sum greater than ten dollars a week. Such patients, when so received, shall be subject to the general rules and regulations of the hospital. The amount agreed upon for the maintenance of such insane persons in a state hospital, shall be secured by a properly executed bond.

and bills therefor shall be collected monthly. The commission may appoint agents, whose duty it shall be to secure from relatives and friends who are liable therefor, or who may be willing to assume the cost of support of any of the inmates of state hospitals as are being supported by the state, reimbursement in whole or in part of the money so expended. The compensation of each agent shall not exceed five dollars a day, and the necessary traveling and other incidental expenses incurred by him, to be approved by the comptroller.

§ 70. Entries in case book.—Every superintendent or other person in charge of an institution for the care and treatment of the insane, shall, within three days after the reception of a patient, make, or cause to be made, a descriptive entry of such case in a book exclusively set apart for that purpose. He shall also make or cause to be made entries from time to time, of the mental state, bodily condition and medical treatment of such patient during the time such patient remains under his care, and in the event of the discharge or death of such person, he shall state in such case book the circumstances thereof, and make such other entries at such intervals of time and in such form as may be required by the commission.

§ 71. Transfer of patients when hospital is overcrowded.—When the building of any state hospital shall become overcrowded with patients, or the number of buildings shall be reduced by fire, or other casualties, or for other cause, the commission may, in its discretion, cause the transfer of patients therefrom, or direct that patients required to be sent thereto, be transferred to another state hospital, where they can be conveniently received, or make, in special emergencies, temporary provision for their care, preference to be given in such transfers to a hospital in an adjoining rather than in a remote district. The expenses of such transfer shall be chargeable to the state, and the bills for the same, when approved by the commission, shall be paid by the treasurer of the state, on the warrant of the comptroller, out of any moneys provided for the support of the insane.

§ 72. Investigation into the care and treatment of the insane.— When the commission has reason to believe that any person adjudged insane is wrongfully deprived of his liberty, or is cruelly, negligently or improperly treated, or inadequate provision is made for his skillful medical care, proper supervision and safe keeping, it may ascertain the facts, or may order an investigation of the facts by one of its members. It, or the commissioner conducting the proceeding, may issue compulsory process for the attendance of witnesses and the production of papers, and exercise the powers conferred upon a referee in the supreme court. If the commission deem it proper, it may issue an order directed to any or all institutions, directing and providing for such remedy or treatment, or both, as shall be therein specified. If such order be just and reasonable, and be approved by a justice of the supreme court, who may require notice to be given of the application for such approval, it shall be binding upon any and all institutions and persons to which it is directed, and any willful disobedience of such order shall be a criminal contempt and punishable as such. Whenever the commission shall undertake an investigation into the general management and administration of any institution for the insane, it may give notice to the attorney-general of any such investigation, and the attorney-general shall appear personally or by deputy and examine witnesses who may be in attendance. The commission, or any member thereof, may at any time visit and examine the inmates of any county or city alms-house, to ascertain if insane persons are kept therein.

§ 73. Habeas corpus.— Any one in custody as an insane person is entitled to a writ of habeas corpus, upon a proper application made by him or some friend in his behalf. Upon the return of such writ, the fact of his insanity shall be inquired into and determined. The medical history of the patient, as it appears in the case book, shall be given in evidence, and the superintendent or medical officer in charge of the institution wherein such person is held in custody, and any proper person, shall be sworn touching the mental condition of such person.

§ 74. Discharge of patients.— The superintendent of a state

hospital, on filing his written certificate with the secretary of the board of managers, may discharge any patient, except one held upon an order of a court or judge having criminal jurisdiction in an action or proceeding arising out of a criminal offense at any time, as follows:

1. A patient who, in his judgment, is recovered.
2. Any patient who is not recovered but whose discharge, in the judgment of the superintendent, will not be detrimental to the public welfare, or injurious to the patient; provided, however, that before making such certificate, the superintendent shall satisfy himself, by sufficient proof, that friends or relatives of the patient are willing and financially able to receive and properly care for such patient after his discharge.

When the superintendent is unwilling to certify to the discharge of an unrecovered patient upon request, and so certifies in writing, giving his reasons therefor, any judge of a court of record in the judicial district in which the hospital is situated may, upon such certificate and an opportunity of a hearing thereon being accorded the superintendent, and upon such other proofs as may be produced before him, direct, by order, the discharge of such patient, upon such security to the people of the state as he may require, for the good behavior and maintenance of the patient. The certificate and the proof and the order granted thereon shall be filed in the clerk's office of the county in which the hospital is situated, and a certified copy of the order in the hospital from which the patient is discharged. The superintendent may grant a parole to a patient not exceeding thirty days, under general conditions prescribed by the commission.

The commission may, by order, discharge any patient in its judgment improperly detained in any institution. A poor and indigent patient discharged by the superintendent, because he is an idiot, or an epileptic, not insane, or because he is not a proper case for treatment within the meaning of this chapter, shall be received and cared for, by the superintendent of the poor or other authority having similar powers, in the county from which he was committed. A patient, held upon an

order of a court or judge having criminal jurisdiction, in an action or proceeding arising from a criminal offense, may be discharged upon the superintendent's certificate of recovery, approved by any such court or judge.

§ 75. Clothing and money to be furnished discharged patients.— No patient shall be discharged from a state hospital without suitable clothing adapted to the season in which he is discharged; and if it can not be otherwise obtained, the steward shall, upon the order of the superintendent, furnish the same, and money not exceeding twenty-five dollars, to defray his necessary expenses until he can reach his relatives or friends, or find employment to earn a subsistence.

§ 76. Transfer of nonresident patients.— If an order be issued by any judge, committing to a state hospital a poor or indigent person, who has not acquired a legal settlement in this state, the commission in lunacy shall return such insane person, either before or after his admission to a state hospital, to the country or state to which he belongs, and for such purpose may expend so much of the money appropriated for the care of the insane as may be necessary, subject to the audit of the comptroller.

§ 77. Insane Indians.— Poor and indigent insane Indians living within this state or upon any of the Indian reservations shall be committed to, confined in, and discharged from the state hospitals for the insane in the same manner and under the same rules and regulations as other poor and indigent insane persons; and all the provisions of this chapter shall apply to the Indians residing within this state the same as to other persons.

ARTICLE IV.

State Hospital for Insane Criminals.

Section 90. Establishment and purposes of the Matteawan State hospital.

91. Medical superintendent.

92. Medical superintendent as treasurer of the hospital.

93. Salaries of resident officers.

Section 94. Powers and duties of medical superintendent and assistants.

95. Monthly estimates.
96. Power of removal.
97. Transfer of insane convicts to the Matteawan State hospital.
98. Disposal of insane convicts after expiration of term of imprisonment.
99. Convicts, on recovery, to be transferred to prison.
100. Certificate of conviction to be delivered to medical superintendent and copy filed.
101. Transfer from state hospital to Matteawan State hospital.
102. Authority to recover for the support of patients.
103. Tenure of office.
104. Communications with patients.

Section 90. Establishment and purposes of the Matteawan State hospital.—The grounds, buildings and property located at Matteawan, in the county of Dutchess, and used for the purposes of the hospital for insane criminals, are hereby declared to be the Matteawan State hospital, to be used for the purpose of holding in custody and caring for such insane persons as may be committed to the said institution by courts of criminal jurisdiction, and for such convicted persons who may be declared insane while undergoing sentence at any of the various penal institutions of the state.

§ 91. Medical superintendent.—The superintendent of state prisons shall, whenever there is a vacancy, appoint a medical superintendent for the Matteawan State hospital, who shall be a well-educated physician of at least five years' actual experience in a hospital for the care and treatment of the insane. The superintendent of state prisons, subject to the approval of the state commission in lunacy, shall make by-laws and regulations for the government of the hospital and the management of its affairs.

§ 92. Medical superintendent as treasurer of the hospital.—

The medical superintendent shall be the treasurer of the hospital, and before entering upon his duties, shall file with the comptroller of the state his undertaking to the people with sureties to be approved by the superintendent of state prisons, to the effect that he will faithfully perform his trust as such treasurer. He shall have the custody of the moneys, securities and obligations belonging to the hospital, and shall open with some bank, in the vicinity of the hospital, to be selected with the approval of the comptroller, an account in his name as such medical superintendent, and immediately deposit in such bank all moneys received by him as such medical superintendent and treasurer, and shall draw therefrom only for the use of the hospital and in the manner provided by the by-laws and upon the order of the steward, specifying the object of each payment. He shall keep a full and accurate account of the receipts and payments, as directed by the by-laws, and of such other matters as the superintendent of state prisons and the state commission in lunacy may prescribe, and balance all his accounts, annually, on the thirtieth day of September, and within ten days thereafter deliver to the superintendent of state prisons, a statement thereof and an abstract of such receipts and payments for the past year. His books and vouchers shall at all times be open to the inspection of the superintendent of state prisons and the commission, and they may at any time require of him a statement of his accounts and of the funds and property in his custody.

§ 93. Salaries of resident officers.—The superintendent of state prisons shall, from time to time, determine the annual salaries and allowances of the resident officers, provided they do not in the aggregate exceed twelve thousand dollars; and the same shall be paid quarterly, on the last days of March, June, September and December, by the treasurer of the state, on the warrant of the comptroller, out of any moneys in the treasury not otherwise appropriated, to the medical superintendent, on his presenting a bill of particulars thereof signed by the steward, and properly certified by such medical superintendent.

§ 94. Powers and duties of medical superintendent and assis

ants.—The medical superintendent shall be the chief executive officer of the hospital and shall:

1. Have the general superintendence of the building and grounds, together with their furniture, fixtures and stock, and the direction and control of all persons therein, subject to the rules and regulations adopted by the superintendent of state prisons, with power to assign their respective duties.

2. Appoint such number of assistant physicians, not to exceed one for each two hundred inmates or fraction thereof, as the necessities of the institution may require, also a steward and matron, all of whom and the medical superintendent, shall reside in the hospital, and shall be known as the resident officers thereof.

3. Appoint such and so many attendants and other subordinate employes as he may think proper and necessary for the economical and efficient administration of the affairs of the hospital, and prescribe their several duties and places, and fix, with the approval of the superintendent of state prisons, their compensation, and discharge any of them at his sole discretion; but in every case of discharge, so occurring, he shall, forthwith, enter the same with the reasons therefor, under an appropriate heading, in one of the record books of the hospital.

4. Give, from time to time, such orders and instructions as he may deem best calculated to insure good conduct, fidelity and economy in every department of labor and expense.

5. Maintain salutary discipline among all who are employed by the institution, and enforce strict compliance with all instructions and orders given by him, and uniform obedience to all the rules and regulations of the hospital.

6. Cause full and fair accounts and records of all his doings, and of the entire business and operations of the institution to be kept regularly, from day to day, in books provided for that purpose, in the manner and extent prescribed in the by-laws.

7. See that all accounts and records are fully made up to the last day of September in each year, and present the principal facts and results, with his report thereon, to the superintendent of state prisons, within forty days thereafter. The resident offi-

cers, before entering upon their duties as such, shall severally take and file in the office of the secretary of state, the constitutional oath of office. The first assistant physician shall perform the duties and be subject to the responsibilities of the superintendent in his sickness or absence. The steward may personally purchase any supplies for the use of such hospital, but only in the name of the medical superintendent, and in each instance by his direction and not otherwise.

§ 95. Monthly estimates.—The medical superintendent shall cause an estimate to be made monthly, in accordance with forms to be approved by the state comptroller, of all moneys necessary for the support and maintenance of the hospital, which may be required to supplement the deficiencies in the earnings thereof. Such estimate shall be submitted to and examined by the superintendent of state prisons, who, if he is satisfied that it is correct, and that the articles named therein are actually needed for the support and maintenance of the hospital, shall certify to the same, and on production of such estimate so certified, to the comptroller, he shall draw his warrant on the state treasurer for the amount thereof, and the state treasurer shall pay such amount to the medical superintendent of the hospital, out of any money in the treasury appropriated for the support of such hospital.

§ 96. Power of removal. — The superintendent of state prisons may remove the medical superintendent, for cause shown, and an opportunity to such superintendent to be heard thereon, and such officer shall not be reappointed to the office of medical superintendent, or to any other position in said hospital.

§ 97. Transfer of insane convicts to the Matteawan State Hospital. — Whenever the physician of either of the state prisons, county penitentiaries, or of the state reformatory or other penal institutions, shall report in writing to the warden or other officer in charge thereof, that any convict confined therein is, in his opinion, insane, such warden or other officer shall apply to a judge of a court of record to cause an examination to be made of such person by two legally qualified examiners in lunacy, other than a physician connected with such state prison, penitentiary, reform

atory or penal institution, qualified to act as medical examiners in lunacy. Such examiners shall be designated by the judge to whom the application is made. Such examiners, if satisfied, after a personal examination, that such convict is insane, shall make a certificate to such effect in the form and manner prescribed by this chapter for the commitment of insane persons to state hospitals. Such warden or other person in charge shall apply to a judge of a court of record for an order transferring such convict to the Matteawan State hospital, accompanying such application with such certificate in lunacy. Such judge, if satisfied that such convict is insane, shall issue such order of transfer, and such warden or other officer in charge shall thereupon cause such convict to be transferred to the Matteawan State Hospital and delivered to the medical superintendent thereof. At the time of such transfer, the certificate in lunacy and order of transfer shall be presented to such medical superintendent, and a copy thereof shall be placed on file in the office of the superintendent of state prisons. Such insane convict shall be received into such hospital and retained there until legally discharged. Such warden, or other officer in charge, before transferring such insane convict, shall see that he is bodily clean, and is provided with a new suit of clothing similar to that furnished to convicts on their discharge from prison. The costs necessarily incurred in determining the question of insanity, including the fees of the medical examiners, shall be a charge upon the state or the municipality at whose expense the institution from which the transfer is made or sought to be made is maintained.

§ 98. Disposal of insane convicts after expiration of term of imprisonment. — Whenever any convict in the Matteawan State hospital, under and by virtue of this act, shall continue to be insane at the expiration of the term for which he was sentenced, he may be retained therein until he has recovered or is otherwise legally discharged. The medical superintendent of such hospital may discharge and deliver any patient whose sentence has expired, and who is still insane, but who, in the opinion of the superintendent is reasonably safe to be at large, to his relatives or friends who

are able and willing to comfortably maintain him, without further public charge; and such patient may, in the discretion of the medical superintendent, be provided with the whole or a portion of such allowances as are hereinafter granted to recovered convicts. Whenever any convict, who, by reason of his insanity, shall have been retained beyond the date of the expiration of his sentence shall recover, he may be discharged by the medical superintendent, and such convict shall be entitled to ten dollars in money, suitable clothing and a railroad ticket to the county of his conviction or to such other place as he may designate at no greater distance. Similar allowances shall be made to patients committed by order of a court and who may be discharged. Any convict in the Matteawan State Hospital, whose term of imprisonment has expired by commutation or otherwise, and who is not recovered may, upon an order of the commission in lunacy, be transferred to any institution for the insane.

§ 99. Convicts on recovery to be transferred to prison.—Whenever any convict, who shall have been confined in such hospital as an insane person, shall have recovered before the expiration of his sentence, and the medical superintendent thereof shall so certify in writing to the agent and warden, or other officer in charge of the institution, from which such convict was received or to which the superintendent of state prisons may direct that he be transferred, such convict shall forthwith be transferred to the institution from which he came by the medical superintendent of the hospital, or, if received from one of the state prisons, to such state prison as the superintendent of state prisons may direct; and the agent and warden convict into such institution, and shall, in all respects, treat him as when originally sentenced to imprisonment. Any inmate not a convict, held upon an order of a court or judge, in a criminal proceeding, may be discharged therefrom, upon the superintendent's certificate of recovery, made to and approved by such court or judge.

§ 100. Certificate of conviction to be delivered to medical superintendent and copy filed.—Whenever any convict shall be trans

ferred to the Matteawan State hospital, the agent and warden or other officer in charge of the prison, penitentiary, reformatory or other penal institution from which such convict is transferred, shall cause a correct copy of the original certificate of conviction of such convict to be filed in the office of the warden or officer in charge, and shall deliver the original certificate to the medical superintendent of such hospital; and whenever any such convict shall be transferred to any penal institution from such hospital, as hereinbefore provided, the medical superintendent shall deliver to the agent and warden, or other officer in charge of such institution, such original certificate, which shall be filed in the clerk's office of the same.

§ 101. Transfer from state hospitals to Matteawan State hospital.—The commission in lunacy may, by order in writing, transfer any insane inmate of a state hospital, committed thereto upon the order of a court of criminal jurisdiction, to the Matteawan State hospital, and the county in which the criminal charge arose or conviction or acquittal was had, shall defray all the expenses of such person while at the Matteawan State hospital and the expenses of returning him to such county.

§ 102. Authority to recover for the support of patients.—The medical superintendent of the hospital is hereby authorized to recover for the support of any patient therein, chargeable under the law to either counties or penitentiaries, in an action to be brought, in the name of the people of the state of New York, against the county or penitentiary, for the maintenance of said patient.

§ 103. Tenure of office.—Nothing in this article shall be construed to affect the tenure of office of any of the present officers of the hospital.

§ 104. Communications with patients.—No person not authorized by law or by written permission from the superintendent of state prisons shall visit the Matteawan State hospital, or communicate with any patient therein without the consent of the medical superintendent; nor without such consent shall any person bring into or convey out of the Matteawan State hospital

any letter or writing to or from any patient; nor shall any letter or writing be delivered to a patient, or if written by a patient, be sent from the Matteawan State hospital until the same shall have been examined and read by the medical superintendent or some other officer of the hospital duly authorized by the medical superintendent. But communications addressed by such patient to the county judge or district attorney of the county from which he was sentenced, shall be forwarded, after examination by such medical superintendent, to their destination.

ARTICLE V.

Laws Repealed; When to Take Effect.

Section 110. Laws repealed.

Section 111. When to take effect.

Section 110. Laws repealed.—Of the laws enumerated in the schedule hereto annexed, that portion specified in the last column is repealed.

§ 111. When to take effect.—This chapter shall take effect on July first, eighteen hundred and ninety-six.

SCHEDULE OF LAWS REPEALED.

Revised Statutes, pt. 1, ch. 20, tit. 3.			All.
Laws of—	Chapter.	Sections.	
1838.	218.	All.	
1874.	446.	All, except tit. 1, §§ 21, 22, 26.	
1875.	264.	All.	
1875.	574.	All.	
1876.	121.	All.	
1878.	47.	All.	
1878.	86.	All.	
1879.	45.	All.	
1879.	280.	All.	
1880.	61.	1.	
1880.	164.	All.	
1881.	49.	All.	

Laws of—	Chapter	Sections.
1881.....	190.....	All.
1883.....	193.....	All.
1884.....	289.....	All.
1884.....	515.....	All.
1885.....	178.....	All.
1885.....	462.....	All.
1886.....	215.....	All.
1886.....	318.....	All.
1886.....	545.....	All.
1887.....	343.....	All.
1887.....	375.....	All.
1887.....	629.....	All.
1888.....	451.....	All.
1889.....	56.....	All.
1889.....	283.....	All.
1889.....	427.....	All.
1890.....	126.....	All.
1890.....	132.....	All.
1890.....	243.....	All.
1890.....	273.....	All.
1891.....	335.....	All.
1893.....	81.....	All.
1893.....	214.....	All.
1893.....	247.....	All.
1893.....	323.....	All.
1893.....	614.....	All.
1894.....	707.....	All.
1895.....	172.....	All.
1895.....	628.....	All, except §§ 2, 3.
1895.....	855.....	All.

SUBSIDIARY AND UNREPEALED STATUTES

RELATING TO THE

INSANE AND INSTITUTIONS FOR THEIR CARE AND TREATMENT.

CHAPTER 446, LAWS OF 1874.

(Title 1.)

* * * * *

When the governor may order the removal of criminals to the State lunatic asylum; proceedings where sanity is restored.—

§ 21. The Governor shall possess the same powers conferred upon Courts of Oyer and Terminer, in the case of persons confined under conviction for offenses for which the punishment is death. And whenever any person under sentence of death shall be declared insane and irresponsible, by a commission duly appointed for that purpose the Governor may, in his discretion, order his removal to the State lunatic asylum for insane criminals, there to remain until restored to his right mind; and it shall be the duty of the medical superintendent of such asylum, whenever in his opinion said convict is cured of his insanity, to report the fact to the State Commission in Lunacy and a justice of the Supreme Court of the district in which said asylum is situated, who shall thereupon inquire into the truth of such fact; and if the same be proved to their satisfaction, they shall so certify it under their official hands and seals to the clerk of the court in which such convict was sentenced, and cause him, the said convict, to be returned to the custody of the sheriff of the county whence he came and at the expense thereof, there to be dealt with according to law (Thus amended by L. 1876, ch. 267.) * * *

Cost of Commission.—§ 22. The cost of any commission in lunacy appointed pursuant to the provisions of this article shall be a charge upon the county in which the same shall have been executed; and the certificate of the court by which such commission shall have been appointed shall constitute a legal voucher thereof in the hands of the county treasurer. Provided, nevertheless, that the costs of all commissioners appointed by the Governor shall be defrayed from the fund appropriated for the contingent expenses of the executive department. * * *

Persons in confinement under other than civil process, appearing to be insane, county judge to institute investigation; when judge may discharge or order removal to asylum; person to be remanded or discharged; county to pay expenses; may recover amount paid.—§ 26. If any person in confinement under indictment or under sentence of imprisonment, or under a criminal charge, or for want of bail for good behavior, or for keeping the peace, or for appearing as a witness, or in consequence of any summary conviction, or by order of any justice, or under any other civil process, shall appear to be insane, the county judge of the county where he is confined shall institute a careful investigation, call two respectable physicians and other credible witnesses, invite the district attorney to aid in the examination (and if he deem it necessary, call a jury, and for that purpose is fully empowered to compel the attendance of witnesses and jurors), and if it be satisfactorily proved that he is insane, said judge may discharge him from imprisonment and order his safe custody and removal to a State asylum, where he shall remain until restored to his right mind, and then the superintendent shall inform the said judge and district attorney, so that the person so confined may, within sixty days thereafter, be remanded to prison and criminal proceedings be resumed or otherwise discharged, or if the period of his imprisonment shall have expired, he shall be discharged. When such person is sent to an asylum, the county from which he is sent shall defray all his expenses while there, and of sending him back if returned, but the county may recover

the amount so paid from his own estate, if he have any, or from any relative, town, city or county that would have been bound to provide for and maintain him elsewhere.

Sections of the Amended Constitution of 1894, Relating to the Commission in Lunacy.

Article 8, sections 11, 12, 13, 15. The legislature shall provide for * * * a state commission in lunacy, which shall visit and inspect all institutions, either public or private, used for the care and treatment of the insane (not including institutions for epileptics or idiots); * * *

The members of * * * the said commission shall be appointed by the governor, by and with the advice and consent of the senate; and any member may be removed from office by the governor for cause, an opportunity having been given him to be heard in his defense.

Existing laws relating to institutions referred to in the foregoing sections and to their supervision and inspection, in so far as such laws are not inconsistent with the provisions of the constitution, shall remain in force until amended or repealed by the legislature. The visitation and inspection herein provided for, shall not be exclusive of other visitation and inspection now authorized by law.

* * * Commissioners of the state commission in lunacy, now holding office, shall be continued in office for the term for which they were appointed, respectively, unless the legislature shall otherwise provide. The legislature may confer upon the commissioners * * * any additional powers that are not inconsistent with other provisions of the constitution.

CHAPTER 381, LAWS 1895.

AN ACT to protect human life.

Section 1. All hospital buildings used for general hospital purposes, or hospitals or asylums for the insane, or any hospital buildings which are more than two stories high, other than those

which are fireproof in their construction, shall have properly constructed iron stairways on the outside thereof, with suitable doorways leading thereto from each story above the first for use in case of fire. It shall be the duty of the trustees, managers, owners or proprietors of such hospitals or asylums to cause such stairways to be constructed and maintained. If the trustees or owners of any hospital as herein described, except those owned and maintained by a city, a county, or the state, shall fail to provide such stairways before the first day of October, eighteen hundred and ninety-six, then the local authorities shall proceed to erect such stairways, and the cost thereof may be recovered by an action at law from the property of said hospital.

§ 2. The district attorney of each county is hereby charged with the execution of this statute, except in the case of hospitals erected or maintained by the state, city or by a county.

§ 3. This act shall take effect on the first day of October, eighteen hundred and ninety-five. The provisions of this act shall not apply to any institution in any of the cities or counties of this state, which the fire department of said city or district attorney of the county shall certify in writing to be fireproof to an extent which will not require the appliances and fixtures provided for in this act. The certificate exempting institutions from the operations of this act shall be filed during the month of January in each year, in the office of the county clerk of the county.

CHAPTER 535, LAWS 1895.

AN ACT to protect the lives of the inmates of public buildings of state institutions and to protect said buildings against destruction by fire.

Section 1. It shall be the duty of each superintendent or chief executive officer of each of the public institutions of the state, supported wholly or partly by the funds of the state, to provide that the following regulations for the protection of the inmates of said buildings and the buildings be complied with: There shall be provided a sufficient number of standpipes, with connections or outlets on each floor, to which a length of fire hose shall be at-

tached, to properly protect the entire floor surface. All fire hose must be tested at least once in three months under the direction of the engineer, and employes must be trained in its use. Not less than six portable fire extinguishers for each floor of each building, hand grenades and fire pails kept constantly filled with water and used for no other purpose shall be provided. Bath-tubs shall be kept filled with water during the night and pails ready for use placed near them. Suitable steps must be provided under windows used as exits to fire-escapes and all fire-escapes must be properly inclosed with wire netting. Wards of the state, if physically and mentally able, must be required to occasionally go up and down the outside iron stairways which must be provided in order to become accustomed to their use. If gas is used, the pressure shall be regulated by governor that the flow may be as nearly uniform as possible. All swinging gas jets in closets, clothes-rooms, employes' room and in rooms occupied by wards of the state must be protected by wire screens. Gas stoves must be used only when absolutely necessary, and if used must be suitably inclosed with metal. Kerosene oil must not be used for lighting purposes unless the institution is not fully provided with gas or electric lights; and if such oil is used it must be of the highest fire test commercially obtainable. Candles must only be used in an emergency, and on the express authorization of the superintendent or chief executive officer. None but safety matches, or those which can be used only on specially prepared surface, must be allowed in or about the institution, and, so far as possible, matches must be dispensed with and electric torches be supplied. All lanterns must be kept outside the buildings used for sleeping purposes, in charge of one person, who must regularly clean, replenish and distribute them. Painters' supplies and inflammable liquids of all kinds must not be stored in buildings occupied by wards of the state or employes. When oil or other inflammable substance is applied to floors it must be applied only by persons skilled in its application, and all articles used in applying such inflammable material must be carefully destroyed after use. All attics and basements must be constantly kept free from rubbish or articles not necessary to the proper con-

duct of the institution, and must be regularly swept, cleaned and all broken or needless articles promptly removed.

§ 2. The moneys necessary to carry out the provisions of this act shall be supplied from the moneys annually appropriated for the maintenance of the above described institutions.

CHAPTER 628, LAWS OF 1895.

AN ACT for the transfer of the grounds, buildings and equipment of the Kings county lunatic asylums, with their inmates, to the State, and for the establishment in lieu thereof of the Long Island State hospital.

* * * * *

§ 2. For the purpose of carrying out the provisions of the preceding section of this act, the supervisor-at-large, as representing the board of supervisors of Kings county, is hereby authorized, when directed by said board, to execute a quit-claim deed to the State of New York, in consideration of the sum of one dollar, of the property now owned by said county and known as the county farm at Kings Park, being the property now used and occupied for the insane, together with all the buildings and improvements thereon, and all the equipment, fixtures and furniture and other personal property of the asylums for the insane situated on said premises. The said deed shall be approved by the attorney-general as to its form and legal effect, and shall provide that the property therein conveyed shall be used solely for the purpose of a State hospital for the insane. The comptroller of the State is hereby authorized and directed to accept on behalf of the State a deed containing the foregoing provisions.

§ 3. Such county buildings, situated in the twenty-ninth ward in the city of Brooklyn, formerly Flatbush, and other real estate which may be occupied by or used for the insane on the first day of October, eighteen hundred and ninety-five, together with their equipment and fixtures, shall be leased at a nominal consideration to the State, for a period of five years, with the privilege of extending the same from year to year, not exceeding five years additional, such buildings and appurtenances to be used solely

for the accommodation and maintenance of the insane and for the purposes of a State hospital; and all furniture, stock and personal property whatsoever on hand for the use of the officers or inmates thereof at the time of the passage of this act shall be transferred to and become the property of the State, in accordance with the provision of section ten of this act. Said buildings and their appurtenances shall thereafter be under the control of the managers of the State hospital established herein. Said lease shall be executed in behalf of the county of Kings by the supervisor-at-large of Kings county, upon the approval by the board of supervisors of such lease and transfer, which lease and transfer are hereby legalized and shall vest the title thereof in the State of New York.

CHAPTER 824, LAWS OF 1895.

AN ACT to amend title six of chapter seventeen of the code of civil procedure, in relation to the appointment of a committee of the person and property of a lunatic, idiot or habitual drunkard.

Section 1. The several sections of title six of chapter seventeen of the code of civil procedure hereinafter designated, are severally amended and new sections are enacted, which amended and new sections shall read as follows:

§ 2323. Application for committee, by whom made.—An application for the appointment of such a committee must be made by petition, which may be presented by any person. Except as provided in the next section, where the application is made to the supreme court, the petition must be presented at a special term held within the judicial district, or to a justice of said court within such judicial district at chambers, where the person alleged to be incompetent resides; or if he is not a resident of the State, or the place of his residence can not be ascertained, where some of his property is situated, or the State institution is situated of which he is an inmate.

§ 2323 (a). Application when incompetent person is in a State institution; petition, by whom made; contents and proceedings upon presentation thereof.—Where an incompetent person has

been committed to a State institution in any manner provided by law, and is an inmate thereof, the petition may be presented by any officer of and on behalf of the State; the petition must be in writing and verified by the affidavit of the petitioner or his attorney, to the effect that the matters therein stated are true to the best of his information or belief; it must show that the person for whose person or property, or both, a committee is asked has been committed to a State institution in some manner provided by law, and is at the time an inmate thereof; it must also state the institution in which he is an inmate, the date of his admission, his last known place of residence, the name and residence of the husband or wife, if any, of such person and if there be none, the name and residence of the next of kin of such person living in this State so far as known to the petitioner, the nature, extent and income of his property, so far as the same is known to the petitioner, or can with reasonable diligence be ascertained by him. The petition may be presented to the supreme court at any special term thereof, held either in the judicial district in which such incompetent person last resided, or in the district in which the State institution in which he is committed is situated, or to a justice of the supreme court at chambers within such judicial district. Notice of the presentation of such petition shall be personally given to such person, and also to the husband or wife, if any, or if none to the next of kin named in the petition, and to the officer in charge of the institution in which such person is an inmate. Upon the presentation of such petition, and proof of the service of such notice, the court or justice may, if satisfied of the truth of the facts required to be stated in such petition, immediately appoint a committee of the person or property, or both of such incompetent person, or may require any further proof which it or he may deem necessary before making such appointment.

§ 2323 (b). Upon the presentation of a petition and the appointment of a committee, as provided in section three thousand three hundred and twenty-three (a), the court or justice may award costs of the proceeding, not exceeding twenty-five dollars in addition to necessary disbursements, to the petitioner, payable from

the estate of the incompetent person, and upon denial of an application to set the same aside, costs as of a motion.

§ 2336 (a). Sections of this title not applicable when application for committee is made under authority of this State.—Sections two thousand three hundred and twenty-five to two thousand three hundred and thirty-six, both inclusive, of this title shall not apply to applications for the appointment of a committee made by it on behalf of the State to secure reimbursement, in whole or in part, for maintenance and support in a State institution.

§ 2. This act shall take effect immediately.

CHAPTER 2, LAWS OF 1896.

AN ACT for the conversion of the New York city asylums for the insane into a state hospital, and to establish the Manhattan state hospital.

Section 1. The institution heretofore established and now known as the New York city asylums for the insane, located on Ward's island, in the city of New York, and at Central Islip, Suffolk county, New York, are hereby transferred to the custody and control of the Manhattan state hospital, which is hereby established and incorporated; and the insane persons who are inmates of the institution so transferred, and those received thereafter, shall be provided for in accordance with the provisions of chapter one hundred and twenty-six, of the laws of eighteen hundred and ninety, of chapter two hundred and fourteen of the laws of eighteen hundred and ninety-three, of chapter three hundred and fifty-eight of the laws of eighteen hundred and ninety-four and of chapter six hundred and ninety-three of the laws of eighteen hundred and ninety-five.

§ 2. For the purpose of carrying out the provisions of the preceding section of this act, the mayor, aldermen and commonalty of the city of New York are hereby authorized and directed to lease to the state of New York, at an annual rental of one dollar, the island known as Ward's island, now owned by the city of New York, together with all the buildings and improvements thereon.

and the equipment, fixtures and furniture of the asylums for the insane located on the said island; and the said mayor, aldermen and commonalty are also authorized and directed to convey to the state of New York for a consideration of one dollar, by warranty deed, to be approved as to its form and legal effect by the attorney-general, all of certain asylum lands at Central Islip, in Suffolk county, now owned by the city of New York, together with all the buildings and improvements thereon, and the equipment, fixtures and furniture of the asylums for the insane located on the said land; both of the properties above specified being now used by the said city for the purposes of asylums or hospitals for the insane. The aforesaid lease and deed shall be executed by the comptroller of the city of New York, on behalf of the mayor, aldermen and commonalty of the said city. The said lease shall continue and remain in full force and effect until the same shall either be surrendered by the state or terminated by the city of New York as hereinafter provided; and it shall provide that the lands, buildings and their appurtenances, and the personal property therein contained, shall be used by the state solely for the purpose of a state hospital for the insane; and all the furniture, stock and other personal property on hand for the use of the officers or inmates of the said asylums at the time of the passage of this act shall be transferred to and become the property of the state according to the provisions of section eight of this act. The said lease may be surrendered at any time by the state, or the same may be terminated by the city of New York by fifteen years' notice, in writing, signed by the mayor of said city, to the comptroller of the state; but in case the said lease shall be so terminated by the city of New York, the said city shall pay to the state the value, at the time of such termination, of all buildings that may have been erected and of all improvements that may have been made by the state on the premises as to which the lease is terminated. The amount so to be paid shall be determined by appraisement of five competent, disinterested persons, two of whom shall be named by the governor of the state of New York, two by the mayor of the city of New York, and the fifth by the four persons so named. The comptroller of the state is

hereby authorized and directed to accept on behalf of the state a lease containing the foregoing provisions. In case the lease hereinbefore specified shall be surrendered or terminated, as hereinbefore provided, or otherwise, adequate provision shall thenceforth be made by the state for the care and custody of all insane persons who may be inmates of the institutions affected.

§ 3. Within ten days after the passage of this act, the governor, by and with the advice and consent of the senate, shall appoint seven citizens, residents of the city of New York, two of whom shall be women, as a board of managers of said hospital; and the governor shall designate at the time of such appointment their respective terms of office with reference to the following classifications, namely: One of said managers shall serve for one year, one for two years, one for three years, one for four years, one for five years, one for six years, and one for seven years from the time of their appointment. The said persons shall hold no municipal or county office, nor legislative or any other state office during their term of office as manager. Any manager shall be subject to removal at any time by the governor for cause, an opportunity having been first given him to be heard in his defense. The successors in office of the managers aforesaid shall be appointed by the governor, by and with the advice and consent of the senate, and shall hold office for seven years and be subject to removal in the manner aforesaid. In case of a vacancy in said board, the governor, by and with the advice and consent of the senate, shall appoint a manager to fill the unexpired term.

§ 4. The said managers shall have all the rights and powers and be subject to the same duties as are now possessed by and imposed upon the managers of the Utica state hospital; and the Manhattan state hospital shall be organized and governed by the laws organizing and at present governing the Utica state hospital, except as may be herein or hereafter otherwise provided.

§ 5. The said managers shall appoint a treasurer of said hospital, who shall reside in the city of New York, and who shall give a bond for the faithful performance of his trust, in such sum and with such sureties as the comptroller of the state may prescribe and approve; also a general superintendent, who shall be a

physician of at least five years' actual experience in the care and treatment of the insane, and who shall be selected in conformity with the requirements of the civil service laws and regulations of the state. The tenure of office of the present general superintendent of the asylums hereby transferred to the state shall continue during the pleasure of the managers, and the tenure of office of the other medical officers of the said asylums shall continue during the pleasure of the general superintendent.

§ 6. The managers shall make an annual report to the state commission in lunacy, giving an account of the work of the year and of the actual state and needs of the hospital. This report shall be accompanied by the annual report of the general superintendent and of the treasurer; and all of these reports shall be incorporated in the annual report of said commission to the legislature.

§ 7. The general superintendent shall appoint, subject to the civil service laws and regulations of the state, and to the provisions of chapter two hundred and fourteen of the laws of eighteen hundred and ninety-three and of chapter six hundred and ninety-three of the laws of eighteen hundred and ninety-five, three medical superintendents, two of whom shall reside at Ward's island, one for the men's department and one for the women's department, and one at Central Islip; also a steward, and such number of matrons and assistant physicians as the necessities of the hospital shall from time to time require, all of whom and also the general and medical superintendent shall reside on the premises of said hospital and shall be designated the resident officers thereof; provided, however, that the proportion of assistant physicians shall not be less than one to every two hundred patients. The general superintendent shall also appoint, subject to the civil service laws and to the provisions of chapter two hundred and fourteen of the laws of eighteen hundred and ninety-three, of chapter three hundred and fifty-eight of the laws of eighteen hundred and ninety-four, and of chapter six hundred and ninety-three of the laws of eighteen hundred and ninety-five, such number of attendants and other subordinate employes as the necessities of the hospital may from time to time require.

§ 8. Upon the passage of this act the commissioners of public charities of the city of New York shall begin to close up the affairs of the said asylums, and within thirty days after the passage of this act, the said commissioners of public charities shall surrender to the possession and control of the managers of the state hospital hereby established, the lands and buildings specified in this act, together with all of their equipment, furniture, fixtures and stock which are in the possession or use of said asylums at the date of the passage of this act. Upon surrendering possession of said property to said managers, the said commissioners of public charities shall cause to be made and filed with the said managers an itemized and true inventory in triplicate of all the property of whatsoever kind and nature so to be transferred including any and all supplies then on hand for the use of said asylums; and the managers shall take possession of said property as herein provided, giving a receipt therefor in triplicate, which receipt shall be signed by the president of the board of managers. One copy of said inventory so receipted shall be filed with the general superintendent, one in the office of the state comptroller, and one copy shall be retained by the commissioners of public charities; and thereupon the said commissioners of public charities shall be relieved from further liability for the care and custody of the property so transferred.

§ 9. Such buildings and grounds on Hart's island and on Blackwell's island as may be occupied and used by the insane at the date of the passage of this act, together with their furniture, fixtures and stock, shall at the expiration of thirty days thereafter, be under the control of the managers of the state hospital hereby established, until such time as sufficient accommodations for the inmates thereof shall have been provided by the state elsewhere; provided, however, that the control and use of said buildings and grounds by the state shall not exceed a period of five years.

§ 10. Any contracts for new buildings on Ward's island or at Central Islip, or for repairs to or renewals of buildings used by or for the insane on Ward's, Blackwell's and Hart's islands, and at Central Islip, which may be in existence at the date of the passage of this act, also any contracts for supplies for the New York

city asylums for the insane for the year eighteen hundred and **ninety-six**, or for any portion of said year, shall remain in force **and** shall be fulfilled by the city of New York in accordance with **the** original terms and conditions of such contracts.

§ 11. The managers are hereby authorized to acquire by purchase or by lease, in the city of New York, at some point as nearly **opposite** Ward's island as may be available, a dock which shall be **suitable** for the purpose of a landing and a depot for the general use of the hospital; also to purchase or lease one or more suitable steam ferryboats for the general use of said hospital; said purchases or leases to be subject to the approval of the state commission in lunacy.

§ 12. The general superintendent shall submit to the state commission in lunacy itemized monthly estimates for the maintenance of the hospital in the same form and in the same manner as the medical superintendents of the other state hospitals are now required by law to do.

§ 13. The commissioners of public charities of the city of New York shall continue to remove the dead bodies of insane patients from Ward's and Blackwell's islands, and to provide for the burial of the unclaimed dead as heretofore, and also to afford transportation by their steam ferryboats for such bodies as are claimed by friends at the hospital, such removal to be made within twenty-four hours after receipt of notice from the general superintendent of the Manhattan state hospital. The provisions of this section shall remain in force until such time as the state shall provide a cemetery for the use of said hospital.

§ 14. All acts or parts of acts inconsistent with this act are hereby repealed.

§ 15. This act shall take effect immediately.

AN ACT

To appropriate money for the support of the insane under the provisions of chapter one hundred and twenty-six of the laws of eighteen hundred and ninety, chapter two hundred and fourteen of the laws of eighteen hundred and ninety-three, chapter three hundred and fifty-eight of the laws of eighteen hundred and ninety-four and chapter six hundred and ninety-three of the laws of eighteen hundred and ninety-five.

Section 1. There shall be imposed for the fiscal year beginning on the first day of October, eighteen hundred and ninety-six, a tax of one mill on each dollar of real and personal property of the state, to be assessed, levied and collected by the annual assessment and collection of taxes of that year, and paid by the several county treasurers into the treasury of this state, to be held by the treasurer for the following purposes: For the state commission in lunacy; for the maintenance of the state hospitals, including the payment of officers' salaries and employes' wages, which salaries and wages shall be uniform for similar grades of officers and employes in all the state hospitals, so far as practicable, and which shall be classified and determined by the state commission in lunacy, subject to the approval of the governor, comptroller and secretary of state; for the purchase of such supplies as may be required for the proper care and treatment of patients, including medicines, medical and surgical appliances, clothing, food, fuel and lights and for the general maintenance of patients; but contracts, subject to the approval of the commission, shall be entered into by representatives of the managers of the state hospitals jointly for such principal articles of supplies as it may be found by the commission to be feasible to purchase for the use of state hospitals; provided, however, that the food supplies allowed to officers and employes shall be drawn from the ordinary supplies provided for the general use of the hospital; and provided, further, that no expenditure shall be made from the contingent fund provided by section three of chapter two hundred and fourteen of the laws of eighteen hundred and ninety-three, except in case of actual emergency requiring immediate action, and which can not be deferred without

incurring loss or damage to the state hospitals or the inmates thereof; for repairs, renewals, betterments of buildings, equipments, fixtures, furniture and stock; also for such additional accommodations in state hospitals as may be needed to provide for the annual increase in the number of dependent insane in the state hospitals during the fiscal year ending September thirtieth, eighteen hundred and ninety-seven, and for such additional accommodations as may be necessary; but no patient shall be permitted to occupy more than one room in any ward or building used or occupied by patients of the state hospitals, nor shall any patient, his friends or relatives, be permitted to pay a greater sum than ten dollars per week for his care and treatment in any of the state hospitals; for printing blank forms, which shall be uniform in all of the state hospitals, and for binding and stationery, all of which shall be furnished under forms approved by the commission, under and by virtue of contracts entered into by the state for printing and binding; for such additional services and other incidental expenses as may be necessary to effectually secure reimbursement from relatives who may be liable for the support of patients or from friends who may be willing to assume the cost of support of such patients; for the removal of nonresident or alien lunatics, who may be inmates of state hospitals or otherwise, who are not properly chargeable to the state; for pathological research and for necessary expenses in establishing and maintaining a pathological laboratory for the benefit of the state hospitals, including the Matteawan state hospital for insane criminals; for the transportation of patients from their homes or elsewhere to state hospitals; the sum of four millions, two hundred thousand dollars, being on account of the tax to be levied by this act, is hereby appropriated for the foregoing purposes, to be expended under the provisions of chapter one hundred and twenty-six of the laws of eighteen hundred and ninety, chapter two hundred and fourteen of the laws of eighteen hundred and ninety-three, chapter three hundred and fifty-eight of the laws of eighteen hundred and ninety-four, so far as such last-named chapter relates to the state hospitals for the insane, and chapter six hundred and ninety-three of the laws of eighteen hundred and

ninety-five. Of the money hereby appropriated no money shall be paid out for or on account of the state hospitals except under the provisions of the said acts and of this act. The sum of forty-four thousand eight hundred and thirty-nine dollars and forty-eight cents, being the total of appropriations for and on account of the state hospitals which has lapsed or will have lapsed previous to October first, eighteen hundred and ninety-seven, is hereby reappropriated for the benefit of the state hospitals. Such lands as may be necessary for the use of the state hospitals shall be acquired under the provisions of chapter twenty-three of title one of the code of civil procedure. Such sum or sums as may be necessary to provide for additional accommodations for the insane and for other necessary buildings, repairs and improvements not to exceed the sum of five hundred thousand dollars, shall be advanced by the treasurer on the warrant of the comptroller in anticipation of the collection of the tax above described and be immediately available for such purposes.

§ 2. This act shall take effect immediately.

APPENDIX.

OFFICIAL ORDERS AND REGULATIONS
OF THE
STATE COMMISSION IN LUNACY.

COMMISSIONERS:

CARLOS F. MACDONALD, *President*,

GOODWIN BROWN,

HENRY A. REEVES.

NOTE.—Many of the earlier official orders of the Commission have been enacted into law and are omitted from this collection.

(Form 27.)

*In the Matter of the Service of Legal Process upon Insane Patients,
and the Execution of Instruments by them.*

ORDERED:

1. (a) That the superintendent or officer in charge of each institution for the care and treatment of the insane be directed not to permit the service of any legal process whatever upon any insane patient except upon the order of a judge of a court of record, which shows that the judge had notice of the fact that the person sought to be served was at the date of the order an inmate of such institution.

That at the time the service of any process is made the following proceedings must be had:

The nature of the process, the date of the same, name of the court out of which it is issued, and the date of its service must be entered in the history of the patient in the case-book.

That a certified copy of the order upon which the service is made and of the process to be served must be filed with the papers relating to the patient.

A copy of the process, together with an explanatory letter, must be forwarded at once to the committee of the person and property of the patient, if there be one, or, if there be no committee, then to the nearest known relative or next friend of such patient.

(b) That no insane person be permitted to sign any bill, check, draft or other evidence of indebtedness or to execute any contract, deed, mortgage or other legal conveyance, except upon the order of a judge of a court of record, which shows that the judge had notice of the fact that the person whose signature is sought to be obtained was at the date of the order an inmate of the institution for the care and treatment of the insane.

That at the time of the execution of the order the following proceedings must be had:

The medical superintendent, one of his assistants or the officer in charge must be present at the time of the execution of the order, and must see that its terms are strictly complied with.

The substance of the order and the proceedings had thereunder must be entered in the history of the patient in the case-book.

A certified copy of the order must be filed with the papers relating to the patient, and a copy of the same, together with a notice of the proceedings had thereunder, must be forwarded at once to the committee of the person and property of the patient, if there be one, or, if there be no committee, then to the nearest known relative or next friend of the patient.

The original orders are required by statute to be filed with the clerk of the court.

2. That the medical superintendent or officer in charge be directed to keep a copy of these orders posted conspicuously in the general reception room and office of each institution for the care and treatment of the insane.

By the Commission, June 2, 1890.

T. E. MCGARR, *Secretary*.

(Form 30.)

ORDERED:

1. No inmate shall be transferred from one institution for the care and treatment of the insane to another except upon the following terms and conditions:

(a) An application in writing setting forth the reasons for such transfer shall be made to the commission by the medical superintendent or officer in charge of the institution from which the transfer is sought to be made.

(b) An order of transfer in writing, attested by its secretary, must be obtained from the commission.

(c) The order of transfer must be filed in the institution from which the transfer is made, and a certified copy of the same, together with a certified copy of the medical certificate of lunacy, must be filed in the institution to which the transfer is made.

(d) The medical superintendent of the institution to which the transfer is made shall, within ten days after the receipt of the patient, notify the commission of the fact and the date thereof, but a copy of the medical certificate of lunacy need not accompany the notice.

2. This order shall not apply to either of the following cases:

(a) Inmates of the State Asylum for Insane Criminals, or patients committed upon "criminal orders."

(b) Patients ordered transferred by the commission upon its own motion.

3. This order shall take effect July 21, 1890.

By the Commission, July 2, 1890.

T. E. McGARR, *Secretary.*

(Form 40.)

In the Matter of the Correspondence of Inmates of Institutions for the Care and Treatment of the Insane.

ORDERED:

1. That each insane patient be permitted to write to some relative or friend once in two weeks, and oftener if necessary, in the

discretion of the medical superintendent. In the case of patients unable, for any cause, to write, the medical superintendent must direct some proper person to write for such patients at suitable intervals, if they so desire. All letters must be forwarded at once, unless they are obscene, profane, illegible or too incoherent to be understood, and the postage must be furnished by the institution, if relatives or friends are unable to provide the same.

2. All letters detained because of obscenity, profanity or for other reasons, must be forwarded at once to the office of the State Commission in Lunacy, and reasons for the detention must be briefly stated in each case by indorsement upon the envelope.

3. All letters addressed to the Governor, Attorney-General, judges of courts of record, district attorneys or the State Commissioners in Lunacy, must be forwarded at once, without examination.

By the Commission, November 18, 1890.

T. E. MCGARR, *Secretary*.

Note.—The above was modified by a subsequent order of the commission, dated March 17, 1894, as follows:

1. Whenever an inmate of a State hospital or of an asylum has a guardian or committee of his or her person and estate, lawfully appointed, mail matter addressed to or by such inmate should be disposed of according to the written directions of such guardian or committee; and only in special or extraordinary cases need such mail matter be forwarded to the office of the commission.

2. Whenever a lawfully adjudged and committed lunatic, who is an inmate of a hospital or asylum, has no guardian or committee, lawfully appointed, mail matter addressed to such inmate and delivered, in pursuance of the foregoing direction of the post-office department, to the keeper or superintendent of the hospital or asylum, may, in the discretion of such keeper or superintendent, be delivered to such inmate unopened, if, in his judgment, it is safe to do so; or, if he has a well-grounded reason to believe that to deliver such mail matter to such patient would be unsafe or unwise and prejudicial to the interests of such patient or of the institution, such keeper or superintendent may withhold such mail matter for examination and detention or destruction, if

deemed advisable, always having due regard to the prevailing rule as to the inviolability of mail matter and seeking to maintain it whenever it is practicable or proper to do so.

3. The "proper discretion" which hospital or asylum authorities may, in the opinion of the post-office department, rightfully exercise as to preventing the transmission of mail matter addressed by an inmate to parties outside, should be exercised in good faith and with fair judgment, erring if at all, on the side of a liberal view of each particular case. The commission thinks that comparatively few letters of patients ought to be suppressed, and those only where the objection to transmission is clear and conclusive.

4. The direction in the original order (Form 40) as to forwarding, unopened, all documents or papers addressed to the officials named therein must be strictly and promptly complied with in all cases.

5. Letters addressed by inmates of hospitals or asylums to parties outside, as to the propriety of forwarding which there is reasonable doubt, should be sent to the office of the commission by the next mail, and not be kept until a number of such letters has accumulated.

(Form 41.)

In the Matter of the Parole and Escape of Inmates of Institutions for the Care and Treatment of the Insane.

It having been made to appear that

(a) A custom has long prevailed without authority of law, although sanctioned by long usage, in various institutions of the State for the care and treatment of the insane, of permitting patients to temporarily leave the institutions to visit friends, or to go out "on trial," for a time not fixed and entered on the books of the institutions extending over indefinite periods, sometimes even more than a year; and

It having been made to appear that

(b) Due diligence has not always been exercised to discover the whereabouts of insane patients who have escaped, and to promptly secure their return; long intervals often elapsing between the date of escape and return; and

(c) Patients suffering from insanity being liable to recover at any time, and deprivation of liberty being justifiable only so long as insanity exists, and where long intervals are permitted to elapse between the date of parole or escape and the date of return of patients to an institution, the possibility may arise of their being re-confined when not insane, by reason of recovery during such interval; it is hereby

ORDERED:

1. That no insane patient, while in the custody of an institution be permitted to go upon parole, who in the judgment of the Medical Superintendent is homicidal, suicidal, destructive or dangerous either to himself or others.

2. That no parole be granted for a greater period than thirty days, exclusive of the date thereof, and that the following entries relating to said parole be made in the patient's history in the "case book": Date of parole, place or places where patient may go, and, if paroled to the care of a person, the name and residence of such person, and the date when such parole is to end.

3. That upon the escape of a patient, prompt and vigorous measures be taken to secure his return; relatives or other persons responsible for the commitment of such person must immediately be notified in writing and where possible by telegraph, and the date of the escape and proceedings taken in relation thereto must be entered in the "case book" at once.

4. A patient who has been paroled or who has escaped, if not returned to the institution on the thirtieth day, exclusive of the date of parole or escape, must be discharged from the books upon that day, and thereafter a notice of such discharge by parole or escape must be forwarded to the commission, but not otherwise, and such patient must not be re-admitted except upon a new medical certificate of lunacy, the cost of which and of the return

of the patient (except in the case of private institutions by special agreement) must be borne by the institution.

5. But nothing in this order contained shall be construed to justify the relaxation of diligence at the expiration of thirty days from the date of escape to secure the apprehension of an escaped patient, nor, in the case of a patient confined in a State Hospital, shall this order be held to justify charging the highest rate by reason of a return upon a new medical certificate made necessary by absence for a greater period than thirty days upon a parole or escape, and the time of such absence shall be estimated as a part of the time during which the highest rate can be charged if the escape or parole occurred during such time.

6. Nothing in this order contained shall be construed to permit a patient held on a "criminal order" to be paroled, or discharged in case of escape.

By the Commission, November 18, 1890.

T. E. McGARR, *Secretary.*

(Form 42.)

In the Matter of the Reports to the Office of the Commission of the "number for the year" and the "consecutive number" of insane patients.

In order to guard as closely as possible against error in the returns to the office of the State Commission in Lunacy of the number and the disposition of insane patients, it is hereby

ORDERED:

That all patients who have been discharged and subsequently re-admitted must be regarded as new cases, and, as such, given a new consecutive number and a new number for the year, and must be in each instance reported to the commission. But this order shall not apply to a case where a patient is ordered to be re-examined by reason of a defective medical certificate of lunacy and is not removed from the institution.

By the Commission, November 18, 1890.

T. E. McGARR, *Secretary.*

(Form 77.)

In the Matter of the Employment of Physicians in Licensed Institutions for the Care, Custody or Treatment of the Insane, and the Admission of Voluntary Patients in those Institutions Permitted to Receive Them, as well as Committed Patients.

ORDERED:

1. That no license will hereafter be granted to operate and maintain an institution for the care, custody or treatment of the insane, unless such institution shall be constantly in charge of a well-educated resident physician (to be designated "Physician in Charge,") who shall possess the following qualifications:

He must be a graduate of a legally incorporated medical college and must have had at least five years' actual service as a physician in an institution for the care and treatment of the insane. In existing institutions this order will in all future appointments be held to apply.

2. That hereafter the approval of the commission in writing will be required upon the appointment of all assistant physicians in licensed institutions for the care, custody or treatment of the insane. In existing institutions this order will in all future appointments be held to apply.

3. That no voluntary patient shall be admitted to a licensed institution for the care, custody or treatment of the insane permitted to receive voluntary as well as committed patients whose mind is so impaired as to render him incapable of forming a rational judgment as to the disposition of his person or whose will is so weak as to render him incapable of resisting undue influence, nor unless an application for admission is made in the form prescribed by the commission, by order dated November 18, 1891. A copy of the application, certified by the physician in charge, must accompany the report to the commission of the admission of the patient.

By the Commission, November 18, 1891.

T. E. McGARR, *Secretary.*

(Form 82.)

In the Matter of the Admission of Patients to Institutions for the Care, Custody or Treatment of the Insane.

ORDERED:

1. That all persons committed to any institution for the care, custody or treatment of the insane must, at the time of admission, be informed by the receiving medical officer of the character of the institution and the cause of detention.

2. This order shall take effect December 1, 1891.

By the Commission, November 18, 1891.

T. E. McGARR, *Secretary.*

(Form 102.)

At a meeting of the Board for the establishment of State insane asylum districts and other purposes held February 28, 1895,

In accordance with the provisions of section 1 of chapter 126 of the Laws of 1890, the following division of the State into State insane asylum districts was made and ordered to take effect March 1, 1895:

Utica State Hospital District — Counties of Fulton, Hamilton, Herkimer, Montgomery, Oneida, Saratoga, Schenectady and Warren, containing 935 insane patients.

Hudson River State Hospital District — Counties of Albany, Columbia, Dutchess, Greene, Putnam, Queens, Richmond, Rensselaer, Suffolk, Washington and Westchester, containing 2,194 insane patients.

Middletown State Hospital District — Counties of Orange, Rockland, Sullivan and Ulster, containing 503 insane patients.

Buffalo State Hospital District — Counties of Cattaraugus, Chautauqua, Erie and Niagara, containing 982 insane patients.

Willard State Hospital District — Counties of Allegany, Cayuga, Genesee, Livingston, Ontario, Orleans, Schuyler, Seneca, Steuben, Tompkins, Wayne, Wyoming and Yates, containing 1,090 insane patients.

Binghamton State Hospital District — Counties of Broome,

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Chemung, Chenango, Cortland, Delaware, Madison, Otsego, Schoharie and Tioga, containing 609 insane patients.

St. Lawrence State Hospital District — Counties of Clinton, Essex, Franklin, Jefferson, Lewis, Onondaga, Oswego and St. Lawrence, containing 896 insane patients.

Rochester State Hospital District — Counties of Monroe and Livingston, containing 566 insane patients.

The number of public insane patients in each of the above-named districts is given as it was on the first day of October, 1894.

By the Board.

T. E. McGARR, *Secretary.*

(Form 105.)

Official Directory of Hospitals and Asylums for the Insane.

STATE COMMISSION IN LUNACY.

COMMISSIONERS.

Carlos F. MacDonald, M. D., President, 334 Fifth avenue, New York city. Telephone, 1065-38 St.

Goodwin Brown, official residence, 21 North Pine avenue, Albany. Telephone 132-3.

Henry A. Reeves, Greenport, L. I.

SECRETARY.

T. E. McGarr, Capitol, Albany. Residence, No. 37 Lake avenue, Albany. Telephone, 132-2.

STATE HOSPITAL SYSTEM.

Admission of Private Patients to State Hospitals.

Private patients can be admitted to State hospitals only upon consent of the medical superintendents. Rates for private patients range from six to ten dollars per week, and a bond must be provided guaranteeing payment of accounts for maintenance,

UTICA STATE HOSPITAL — UTICA, ONEIDA COUNTY.

G. ALDER BLUMER, M. D., *Medical Superintendent.*

One mile from the New York Central, the Rome, Watertown and Ogdensburg, the Delaware, Lackawanna and Western, and the Ontario and Western railway stations, and two miles from the West Shore station. Accessible, every fifteen minutes, by New York Mills or Whitesboro electric cars. Stop at Cross or Jason streets.

Telephone, No. 1545.

WILLARD STATE HOSPITAL — WILLARD, SENECA COUNTY.

WILLIAM MABON, M. D., *Medical Superintendent.*

Accessible, from the east, by New York Central and Hudson River railway (Auburn branch from Syracuse to Geneva); from the west, via New York Central and Hudson River railway; from Rochester (Auburn branch) to Geneva, or via Lehigh Valley railway; from the north, Lyons to Geneva, via Fall Brook railway; from Geneva, via steamers of the Seneca Lake Steam Navigation Company, or by Lehigh Valley railway; from the south, via Lehigh Valley railway, or by Seneca Lake Steam Navigation Company.

Local telephone.

**HUDSON RIVER STATE HOSPITAL — POUGHKEEPSIE,
DUTCHESS COUNTY.**

CHARLES W. PILGRIM, M. D., *Medical Superintendent.*

The hospital is located two miles north of the New York Central railway station at Poughkeepsie. Carriages may be procured at the station, and a public conveyance runs regularly to and from the hospital, connecting with the principal trains. The hospital may also be reached by the West Shore railway ferry from Highland station to Poughkeepsie, and by the Philadelphia, Reading and New England railway (Poughkeepsie Bridge route). Conveyances may be procured from Parker avenue station.

Telephone call, 166.

**MIDDLETOWN STATE HOMEOPATHIC HOSPITAL — MID-
DLETOWN, ORANGE COUNTY.**

SELDEN H. TALCOTT, M. D., *Medical Superintendent.*

Middletown is sixty-six miles from New York city, and may be reached by the following railways: New York, Lake Erie and Western; New York, Ontario and Western; and New York, Susquehanna and Western. The hospital is reached by several omnibus lines. Public carriages may also be had at the station.

Telephone, No. 41.

BUFFALO STATE HOSPITAL — BUFFALO, ERIE COUNTY.

ARTHUR W. HURD, M. D., *Medical Superintendent.*

The hospital is located on Forest avenue, about three and one-half miles from the principal railway stations, accessible by Elmwood avenue, and Baynes and Hoyt streets trolley lines, direct; also by Main street and Niagara street lines by obtaining transfer to the Forest avenue cars.

Telephone call, "Bryant, 262."

BINGHAMTON STATE HOSPITAL — BINGHAMTON, BROOME COUNTY.

CHARLES G. WAGNER, M. D., *Medical Superintendent.*

Located on the lines of the Erie, Delaware, Lackawanna and Western, and Delaware and Hudson railways. Electric cars leave corner of Court and Washington streets, near all railway stations, every fifteen minutes, between 6 A. M. and 10 P. M.

Telephone, No. 453.

ST. LAWRENCE STATE HOSPITAL — OGDENSBURG, ST. LAWRENCE COUNTY.

P. M. WISE, M. D., *Medical Superintendent.*

Located three and one-half miles from center of Ogdensburg, on the Rome, Watertown and Ogdensburg, and Central Vermont railways. Accessible by trolley line every half hour. Public carriages may also be obtained at railway stations.

Telephone call, "State hospital."

ROCHESTER STATE HOSPITAL — ROCHESTER, MONROE COUNTY.

E. H. HOWARD, M. D., *Medical Superintendent.*

Two miles from railway stations. Accessible by electric cars of the South and Lake avenue line.

Telephone, No. 602.

LONG ISLAND STATE HOSPITAL. — BROOKLYN, LONG ISLAND.**W. E. SYLVESTER, M. D., *General Superintendent.***

In the city of Brooklyn; accessible by street car from East Twenty-third street and Fulton ferries.

Telephone No. 68, Flatbush.

All official communications with regard to the Long Island State Hospital should be addressed to W. E. Sylvester, M. D., General Superintendent, Brooklyn, N. Y.

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BRANCH OF LONG ISLAND STATE HOSPITAL — KINGS PARK, LONG ISLAND.**OLIVER M. DEWING, M. D., *Medical Superintendent.***

Forty-five miles from New York city. Accessible by trains on the Long Island railway. Surface and elevated road from Grand Central station, New York, to Thirty-fourth street ferry, connecting with Long Island City station of the Long Island railway. Also from Flatbush Avenue station, via Jamaica, Long Island railway.

No telephone. Telegraph, Kings Park, one mile distant.

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MATTEAWAN STATE HOSPITAL — MATTEAWAN, DUTCHESS COUNTY.

(For insane criminals only.)

P. O. and R. R. Station, Fishkill-on-the-Hudson.

H. E. ALANSON, M. D., *Medical Superintendent.*

Fifty-eight miles from New York city, on the New York Central and Hudson River railway. It is also accessible by the West Shore railway and the Erie, to Newburgh; thence by ferry to Fishkill-on-the-Hudson. The institution may be reached by an electric railway, which runs within one-half mile, from the Hudson River railway station; also public conveyances at the station.

Telephone call, No. 86.

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MANHATTAN STATE HOSPITAL.

A. E. MACDONALD, M. D., *General Superintendent.*

All official communications with regard to the Manhattan State Hospital should be addressed to the general superintendent.

Post-office address, Station L, New York city.

Telephone, No. 1696 — Eighteenth street.

City office, 1 Madison avenue, corner of Twenty-third street.

WARD'S ISLAND DIVISION.

FEMALE DEPARTMENT.

E. C. DENT, M. D., *Medical Superintendent.*

MALE DEPARTMENT.

W. A. MACY, M. D., *Medical Superintendent.*

Accessible by steamer from foot of East Thirty-first street,
1 P. M.

Visiting days: Mondays, Tuesdays, Fridays, Saturdays.

Visiting hours: 1 to 3 P. M.

Post-office address, Station L, New York city.

Telephone, No. 1696 — Eighteenth street.

BLACKWELL'S ISLAND DIVISION.

(Branch of Female Department, Ward's Island.)

Accessible by steamer from foot of East Thirty-first street,
1 P. M.

Visiting day: Thursday.

Visiting hours: 1 to 3 P. M.

Telephone, No. 429 — Eighteenth street.

HART'S ISLAND DIVISION.

H. C. EVARTS, M. D., *First Assistant Physician (in Charge).*

Post-office address, Station Z, New York city.

Accessible by steamer from foot of East Thirty-first street,
1 P. M.

Visiting day: Wednesday.

Visiting hours: 2 to 4 P. M.

FARM FOR THE INSANE — CENTRAL ISLIP, LONG ISLAND.

GEORGE A. SMITH, M. D., *Medical Superintendent.*

Accessible by trains on the Long Island railway, Thirty-fourth street ferry to Long Island City station of Long Island railway.

No telephone. Telegraph, Central Islip, L. I.

**SOCIETY OF THE NEW YORK HOSPITAL — BLOOMINGDALE,
WHITE PLAINS, N. Y.**

S. B. LYON, M. D., *Medical Superintendent.*

Accessible by Harlem railway. Number of patients, 300. Minimum for those who pay remunerative rates, \$10 per week. This institution receives and treats, gratuitously, a small number of indigent insane, and receives a considerable number of acute and hopeful cases, which pay only part of their expenses.

Telephone, No. 204, White Plains.

PROVIDENCE RETREAT — BUFFALO, N. Y.

Under the Charge of the Sisters of Charity.

FLOYD S. CREGO, M. D., *Consulting Physician.*

HARRY A. WOOD, M. D., *Physician in Charge.*

Located on Main street, corner of Kensington avenue. Distance from Union railway station, four miles. Accessible by electric street car line. Number of patients limited to 125. Minimum rate for care and treatment of private patients, \$6 per week.

Telephone, "Bryant, 385 M."

MARSHALL INFIRMARY — TROY, RENSSELAER COUNTY.

J. D. LOMAX, M. D., *Physician in Charge.*

One mile from the Union railway station. Accessible by electric street car, from Congress street. Number of patients limited to 60. Minimum rate for care and treatment of private patients, \$6 per week.

Telephone call, "Marshall Infirmary," 937.

LONG ISLAND HOME — AMITYVILLE, LONG ISLAND.

O. J. WILSEY, M. D., *Physician in Charge.*

Thirty-two miles from New York. Accessible by Montauk division of Long Island railway; ferry from East Thirty-fourth street, New York, also from Brooklyn. Only five minutes from railway station. Number of patients limited to 114. Minimum rate, \$10 per week.

No telephone.

BRIGHAM HALL HOSPITAL—CANANDAIGUA, ONTARIO COUNTY.

D. R. BURRELL, M. D., *Physician in Charge.*

Situated on Bristol street, one mile from the New York Central and Northern Central railway station. Accessible by public carriages, always to be found at the station. Number of patients limited to 78. Minimum rate, \$10 per week.

Telephone, No. 35, or "Brigham Hall."

ST. VINCENT'S RETREAT — HARRISON, WESTCHESTER COUNTY.

Under the Charge of the Sisters of Charity.

H. ERNST SCHMID, M. D., *Attending Physician*, White Plains.

SWEFSON J. BROOKS, M. D., *Physician in Charge.*

For women only. Fifty minutes from New York on the New York and New Haven railway. Trains leave Grand Central station, New York city, for Harrison, every hour, from 9 A. M. to 7 P. M. Number of patients limited to 60. Applications for admission should be made to the sister in charge.

Telephone, No. 128, Port Chester.

WALDEMERE — MAMARONECK, WESTCHESTER COUNTY.

E. N. CARPENTER, M. D., *Physician in Charge.*

Forty minutes from New York on the New York, New Haven and Hartford railway. Trains leave Grand Central station, New

York city, every hour, for Mamaroneck. Waldemere is one mile from station, where public carriages may be found. Number of patients limited to 18. Minimum rate, \$25 per week.

No telephone connection.

SANFORD HALL — FLUSHING, LONG ISLAND.

WILLETT S. BROWN, M. D., *Physician in Charge*.

EDWIN B. THOMSON, M. D., *Assistant Physician*.

Institution situated about one-half mile from Long Island railway station, and accessible by public carriage. Going from Brooklyn, take Greenpoint or Crosstown street car to Long Island City, thence on Long Island railway. Number of patients limited to 36. Minimum rate, \$25 per week.

Telephone, Flushing, 17 A.

BREEZEHURST TERRACE — WHITESTONE, LONG ISLAND.

D. A. HARRISON, M. D., *Physician in Charge*.

D. R. LEWIS, M. D., *Assistant*.

Accessible from New York city, from East Thirty-fourth street ferry, via Long Island railroad. Trains run every half hour to Whitestone; time twenty-five minutes. May also be reached by driving, via Ninety-ninth street ferry to College Point, from which place it is about ten minutes' drive. Going from Brooklyn, take Greenpoint car or Crosstown car to Long Island City. In taking patients from Brooklyn, it is better to drive, as it only takes a little more than one hour, via Grand street to Newtown, thence through Flushing to Whitestone. Minimum rate, \$20 per week. Number limited to 23. (Voluntary patients received.)

No telephone connection.

DR. WELLS' SANITARIUM FOR MENTAL DISEASES — 945

ST. MARK'S AVENUE, BROOKLYN.

Between Kingston and Albany Avenues.

T. L. WELLS, M. D., *Physician in Charge*.

The Sanitarium may be reached by the Bergen street car line,

the Atlantic Avenue railway or elevated railway from Brooklyn bridge. Stop at Albany avenue station of elevated road. Number limited to 16 women patients. Minimum rate, \$10 per week. Telephone No. 69, Bedford.

**GREENMONT-ON-THE-HUDSON — POST-OFFICE, SING SING,
WESTCHESTER COUNTY.**

RALPH LYMAN PARSONS, M. D., *Physician in Charge.*

RALPH WAIT PARSONS, M. D., *Associate Physician.*

Location, one mile from New York Central station at Sing Sing. Public carriages may be hired at the station. Number limited to 12. Minimum rate, \$75 per week, which includes all extras.

No telephone connection.

DR. CHOATE'S HOME—PLEASANTVILLE, WESTCHESTER COUNTY.

G. C. S. CHOATE, M. D., *Physician in Charge.*

One mile from Pleasantville station on Harlem railway, and two miles from Whitsons station of New York and Northern railway. New York Central trains stop at Tarrytown, six miles distant. Pleasantville is thirty miles north of New York city. Number limited to 10. Minimum rate, \$75 per week, including all extras.

No telephone connection.

DR. COMBES' SANITARIUM — WOOD HAVEN, LONG ISLAND.

H. ELLIOTT, M. D., *Physician in Charge.*

P. THOS. MARKEY, M. D., *Assistant Physician.*

Best reached by Brooklyn elevated trains, from Brooklyn bridge, or East Twenty-third street ferry to Ridgewood, thence by Richmond Hill surface car to Flushing avenue, Wood Haven. Sanitarium two minutes' walk to the right. Also easily accessible from Brooklyn by carriage, via Myrtle avenue, to Flushing avenue,

Wood Haven. One mile from Wood Haven Junction, on the Long Island railway. Number of patients limited to 34. Minimum rate, \$10 per week.

Telephone, No. 7, I, East New York.

GLENMARY — OWEGO, TIOGA COUNTY.

(Homeopathic.)

J. T. GREENLEAF, M. D., *Physician in Charge.*

E. E. SNYDER, M. D., *Consulting Physician.*

Three-fourths of a mile from railway stations, where public carriages may be obtained. Accessible by New York, Lake Erie and Western and by Delaware, Lackawanna and Western railways, and Auburn Division, Lehigh Valley railway. Number of patients limited to 50. Minimum rate, \$10 per week.

Telephone call, "Glenmary."

FALKIRK — CENTRAL VALLEY, ORANGE COUNTY.

JAMES F. FERGUSON, M. D., *Physician in Charge.*

H. E. WISE, M. D., *Assistant Physician.*

One mile from the Central Valley station, on Newburgh branch of New York, Lake Erie and Western railway, forty-seven miles from New York city. Telephone extends from Central Valley depot. Communication should be had with station agent by Western Union Telegraph and message will be repeated. Number of patients limited to 34. Minimum rate, \$20 per week.

Telephone, "Falkirk."

VERNON HOUSE — BRONXVILLE, WESTCHESTER COUNTY.

WILLIAM D. GRANGER, M. D., *Physician in Charge.*

Post-office and telegraph, Bronxville. Accessible by New Haven railway, to Mt. Vernon, or by Harlem railroad, to Bronxville. Public carriages may be obtained at railway station. Number of patients limited to 16. Minimum rate, \$35 per week.

No telephone connection.

THE PINES — AUBURN, CAYUGA COUNTY.

FREDERICK SEFTON, M. D., *Physician in Charge.*

Accessible by the Auburn branch of the New York Central and Hudson River railway, and the Southern Central division of the Lehigh Valley railway. A little over three hours by rail from Rochester, four from Albany and Buffalo, seven from New York city. Number of patients limited to 12. Minimum rate, \$20 per week.

Telephone, No. 261.

INTERPINES — GOSHEN, ORANGE COUNTY.

FREDERICK WHITTLESEY SEWARD, M. D., *Physician in Charge.*

R. L. MCGEOCH, M. D., *Assistant Physician.*

J. PERRY SEWARD, M. D., *Associate Physician.*

Sixty miles from New York city, on line of Erie railway. Number of patients limited to 16. Minimum rate, \$20 per week.

Long distance telephone call, Goshen, 15-2.

(Form 113.)

In the Matter of the Rules to be Observed in the Transfer of Insane Patients from one State Hospital to Another and from their Residences or from Poor-houses to State Hospitals by Relatives, Friends or Public Officers, under the Provisions of Sections 8 and 9 of Chapter 126 of the Laws of 1890.

ORDERED:

The following rules must be observed by superintendents of State hospitals, by all county, city and town officials, also by relatives and friends when accompanied by a public officer, in the removal of insane patients to State hospitals and in the transfer of the same from one State hospital to another:

1. Patients must be in a condition of bodily cleanliness.
2. Patients must not under any circumstances be taken from their residences to a poor-house for the purpose of examination as to their sanity.
3. Patients must be provided with the following:
 - (a) One full suit of underclothing;
 - (b) One full suit of outer clothing, including head wear, boots or shoes.

Between the last day of October and the last day of March, there shall be provided, in addition to the foregoing, a suitable overcoat for men patients and a suitable shawl or cloak for women patients also gloves or mittens. Considering the great danger, always present, of the introduction of contagious or infectious diseases into institutions where large numbers of people are congregated, and to avoid, as far as possible, the introduction of such diseases by means of wearing apparel, the clothing referred to above must in all cases be new. But new clothing need not be provided where patients are transferred from one institution for the care and treatment of the insane to another.

4. In traveling by rail, patients must not be compelled to ride in smoking or baggage cars, except in the case of men patients who may be so violent, profane or obscene as to render their presence

in ordinary passenger coaches offensive. If any portion of the route be traversed by team, a covered conveyance should, unless impossible, be provided. The shortest practicable route should be selected; the hour of departure should be timed, as far as possible, so as to avoid the necessity of stopping over night on the journey and so as not to reach the hospital at an unseasonable hour. Whenever practicable, a notice in advance of the coming of the patients should be sent by mail or telegraph, to the medical superintendent of the hospital. In cases of violent patients, a sufficient number of attendants should be provided to control their actions without resorting to the use of mechanical restraints, such as straps, ropes, chains, hand-cuffs, etc. Quieting medicines should not be given to such patients except upon the prescription of a physician. If it becomes necessary to remain over night or for a number of hours at a station on the route, patients must not be taken to jail, police station or lock-up. Food in proper quantity and quality, and at intervals not exceeding five hours, should be provided for patients, but no alcoholic beverages must be given unless upon prescription of a physician. Opportunity must be afforded for attention to the calls of nature, and the rules of decency must be observed. In case of the employment of extra attendants in conveying violent patients, care must be taken that they are of adult age and of good moral character. The provisions of the statute which require that a woman shall accompany women patients when taken to State hospitals must be strictly complied with.

5. Any violation of the requirements of this order shall be promptly reported by the medical superintendent of the hospital receiving the patient to the State Commission in Lunacy.

6. This order shall take effect January 1, 1893.

By the Commission, December 1, 1892.

T. E. McGARR, *Secretary*.

(Form 114.)

THE CLINICAL TEACHING OF INSANITY IN PUBLIC
HOSPITALS FOR THE INSANE.*To Managers of State Hospitals:*

The Association of Medical Superintendents of American Institutions for the Insane at its annual meeting held at Toronto, Canada, in 1871, adopted the following resolutions:

Resolved, That in view of the frequency of mental disorders among people of all classes, and in recognition of the fact that the first care of nearly all these cases necessarily devolves upon physicians engaged in general practice, and this at a period when sound views of the disease and judicious modes of treatment are specially important,— it is the unanimous opinion of this association that in every school conferring medical degrees, there should be delivered, by competent professors, a complete course of lectures on insanity and on medical jurisprudence, as connected with disorders of the mind.

Resolved, That these lectures should be delivered before all the students attending these schools, and that no one should be allowed to graduate without as thorough an examination on these subjects as on the other branches taught in the schools.

Resolved, That in connection with these lectures, whenever practicable, there should be clinical instruction, so arranged that, while giving the student practical illustrations of the different forms of insanity and the effects of treatment, it should in no way be detrimental to the patients.

Since the adoption of the foregoing resolutions public sentiment has become more pronounced in favor of carrying out their purpose and spirit.

The fact that insanity is far more frequent and more serious than many other diseases, with the nature and symptoms of which medical students are required to possess a practical familiarity before being permitted to graduate, renders it of the highest importance to the public that a wider diffusion of correct knowledge of the disease and of its proper management, particularly in its early and most curable stage, should obtain among the medical

profession. This is especially important in view of the fact that in a large majority of cases the presence of the disease, in the first instance, must necessarily be determined by the general practitioner — usually the family physician.

Citizens of the State, of all classes, could not fail to derive benefit from the diffusion of a more practical knowledge of the subject among the medical profession. The recognized want of such knowledge is largely due to the fact that, with few exceptions, it is only within a comparatively recent period that this important branch of medical science has been systematically taught in medical schools. Furthermore, it is well known that but few of the medical schools wherein such teaching is now given are able to procure the necessary material for clinical instruction in psychiatry, outside of hospitals for the insane; and inasmuch as it is only from public institutions that this material can be drawn, it would seem that no greater objection could justly be raised to the giving of such instruction, under proper restrictions, in hospitals and asylums for the insane than to the clinical teaching of other branches of medicine in general hospitals, a practice which now extensively prevails throughout the civilized world.

As there are large numbers of patients in the public hospitals for the insane who would offer no objection to the giving of clinical instruction to students of medicine in their presence, the commission would earnestly recommend that the boards of managers of the several State hospitals afford to medical colleges situated in their vicinity, as well as to practicing physicians who may desire to avail themselves of the privilege, such facilities for the clinical study of mental diseases as in the judgment of the medical superintendent may be deemed wise and proper.

By the Commission, December 10, 1892.

T. E. McGARR, *Secretary*.

(Form 139.)

In June, 1893 Prof. Austin Flint was requested by the commission to prepare a report on dietaries and food supplies for the

guidance of the State hospitals in the preparation of monthly estimates under the operation of the State care act, which was to take effect October 1, 1893. As stated by Prof. Flint, the schedule of allowances contained in his report was necessarily somewhat experimental, in view of the fact that he had found no dietary tables in use exclusively for the insane, either in Europe or the United States, and, therefore, it might require revision after a reasonable trial. After the expiration of one year, the commission requested the several State hospitals to suggest such modifications of the ration allowances as the year's experience had shown to be desirable, in order to secure the best results. Responses were received from all the hospitals, and these were transmitted to Prof. Flint, with the request that he prepare a revised report. The correspondence of the commission and the State hospitals is annexed to the report in chronological order, for the convenience of those who are interested in the subject. The original report was dated June 29, 1893; it was known as form 139, and duplicates of this, together with those of the revised report, same form number, second edition, may be obtained upon application to the commission. It should be understood that the dietary or ration allowance proposed by Prof. Flint is designed for the general use of the hospitals, exclusive of special or "extra" diet, which may be prescribed in the discretion of the medical officers.

REVISED REPORT ON DIETARIES AND FOOD SUPPLIES FOR STATE HOSPITALS.

BY AUSTIN FLINT, M. D., LL. D.

NEW YORK, *September 26, 1894.*

To the State Commission in Lunacy:

Gentlemen.—I have received your communication inclosing reports from the State hospitals on the practical working of my suggestions on "Dietaries and Food Supplies," dated June 29, 1893.

These reports indicate that the supplies have been more than ample. In a general way, the results of full trial show that my report of June, 1893, needs but little revision, although it was

intended to be to some extent experimental. If my suggestions had been carried out less literally while adhering to their spirit and general features, no revision would have been called for; however, it is fortunate that my report has been followed exactly in so many instances, as it enables me to revise my original recommendations and to now prepare schedules which may be regarded as final and likely to stand the test of further experience. I have, therefore, to suggest the following corrected schedules:

DAILY RATION.

Meat, with bone, including salted meats, fresh and salted fish, and poultry, twelve ounces; flour, to be used in making bread and in cooking (may in part be substituted by corn meal and macaroni), twelve ounces; potatoes, twelve ounces; milk, sixteen ounces; one egg, two ounces; sugar, two ounces; butter, two ounces; cheese, one ounce; rice, hominy or oatmeal, one and one-half ounces; beans or peas (dried), one and one-half ounces; coffee, (in the berry and roasted), five-sixth of an ounce; tea (black), one-eighth of an ounce.

In the purchase of beef, it is recommended that, with each whole carcass purchased, there be bought one fore quarter additional. This will give an extra quantity for soups and stews and provide additional roasting pieces for the officers' table. The clear meat of the parts that have been used in making soups may be served "braized," or otherwise prepared, from time to time. Though not so nutritious as when made of flesh meat, dishes prepared in this way may easily be made palatable, and would agreeably vary the diet, if not used too frequently. This recommendation is made to meet the suggestion of the superintendent of the Middletown Hospital. In the purchase of mutton, veal, pork, etc., it is recommended, as a matter of true economy, as well as contributing to the proper quality of supplies, to buy whole carcasses, not the inferior parts only, which latter usually contain a large proportion of bone. With the different classes of persons to be provided for — physicians, attendants, workers and non-workers, male and female — nearly every part of an animal can be profitably and economically used. In the purchase of certain other articles, such

as coffee and tea, impurities or adulterations, even if not positively harmful, take away from nutritive efficiency and are not in the line of true economy. Flour, milk, eggs, cheese, potatoes, beans, etc., take the place, to a certain extent, of other articles which are more costly. It requires but little experience to learn that the waste of flour, milk, etc., of poor quality, involves more expense than the purchase of first-class articles.

Some parts of a bullock contains only 8 per cent. of bone; some parts contains 50 per cent. A high French authority (Payen) estimates that the ordinary supplies of meat contain 20 per cent. of bone. The meat includes a considerable but variable quantity of fat. Veal should never be supplied unless it is of the best quality. The same remark applies to fresh pork. A calf, when dressed, should weigh about 130 pounds. A young hog, when dressed, should weigh 120 to 140 pounds. A dressed sheep should weigh 65 to 120 pounds. A dressed steer should weigh 650 to 900 pounds, the fore quarter weighing 190 to 250 pounds, and the hind quarter, 140 to 200 pounds. About 40 per cent. may be deducted for salt pork, hams or bacon. One of the great advantages of skillful cooking is that inferior parts of the carcasses may be utilized in the making of nutritious soups, stews, etc., which will take the place, to a great extent, of more costly articles and give more satisfaction to patients. Vegetable soups, also, may be largely used with advantage.

One hundred pounds of flour will make 136 pounds of good bread. Corn meal may be substituted for flour, but to a limited extent, as it is less nutritious and often disturbs digestion. Macaroni may be substituted for flour, but only as an occasional luxury. Bread should be made every day, and what is left over should be used in cooking and not be served again. If bread is made during the night and the baking finished as early as 3 A. M., it may be served the same day. If to be served the next day, it should be baked as late as practicable in the afternoon or evening. If bread is simply warmed through in the oven immediately before serving, the moisture absorbed by the gluten is driven off, and

the bread is much more palatable and digestible; but bread should never be dried in this way more than once.

The use of fresh vegetables in season will permit a suspension or reduction of the rations of rice, beans and peas, with some reduction in the ration of potatoes. Fresh vegetables and fruits should be used freely. Onions should be used freely in cooking and should be served occasionally as a separate dish. I have long observed that onions are craved by inmates of hospitals. Turnips, parsnips, salsify, carrots and beets may not strictly be classed as fresh vegetables, but they may be frequently used with advantage.

In the revised ration I have recommended five-sixths ounce of roasted coffee instead of one ounce of green coffee, assuming that coffee, properly roasted, loses about 16 per cent. in weight. Coffee can be better and more uniformly roasted in large quantities and by experts than in a hospital. The coffee should be very finely ground before making the infusion.

The ration does not include condiments and other flavoring articles, syrup, molasses, preserves and compotes, such as apple sauce, apple butter, etc., which should be provided as occasion offers.

If men and women are supplied at separate tables, it will be convenient to make up the supplies for each from this daily ration. Five per cent. may be added for men and deducted for women, making a difference of 10 per cent. For workers an addition of 25 per cent. may be made to the rations of meat, flour and potatoes.

The modifications which has been made in the "Daily Ration" are the following:

Flour has been reduced from 16 ounces to 12 ounces. The superintendent of the Binghamton hospital says that the dietary is "more than sufficient to meet the general requirements of the patients of a hospital of this kind." The superintendent of the Utica hospital has used 11 ounces of flour and one and five-sixteenths ounces of corn meal instead of 16 ounces of flour. The superintendent of the Middletown hospital has used 14 ounces of flour instead of 16 ounces.

Potatoes have been increased from 8 ounces to 12 ounces. The superintendent of the Rochester hospital recommends that the ration of potatoes be doubled. The superintendent of the St. Lawrence hospital recommends that the ration of potatoes be increased to 12 ounces.

Milk has been doubled. This is recommended by the superintendent of the Hudson River hospital and by the superintendent of the Rochester hospital. The superintendent of the Middletown hospital recommends that the ration of milk be increased four times.

The ration of eggs has been reduced one-half. It seems to be the general impression that this ration has been too large. I suggest that the eggs be made interchangeable with milk.

The ration of cheese has been reduced one-half. The general impression seems to be that cheese is not relished by patients. I suggest that cheese be made interchangeable with butter.

SUPPLIES FOR ONE HUNDRED PERSONS FOR THIRTY DAYS.

Meat, with bone, including salted meat, fresh and salted fish, and poultry, total	2,250 lbs.
Flour (may be in part substituted by corn meal and macaroni)	2,250 lbs.
Potatoes	2,250 lbs.
Milk	1,500 qts.
Eggs	250 doz.
Sugar	375 lbs.
Butter	375 lbs.
Cheese	188 lbs.
Rice	94
Hominy	94
Oatmeal	94
	<hr/>
	282 lbs.
Beans or peas (dried)	282 lbs.
Coffee	156 lbs.
Tea	24 lbs.
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This table should be regarded as very elastic. It does not show that it is more than simple, and that considerable saving may be made, especially when fresh fruits and vegetables are available at low prices. Keeping it very close to a proper variety of food, all the articles should be considered interchangeable in quantities so about equalize the cost. Flour should be interchangeable on this basis with potatoes, rice, beans, and oatmeal. Butter and cheese may be interchangeable in the proportion of 1 pound of butter to 2 pounds of cheese; and eggs and milk in the proportion of 2 eggs to 1 pint of milk. There are occasions when eggs may be substituted with advantage for meat. This may be done on the basis of 5 eggs for 1 pound of meat. When fruits, fresh and dried, are used in abundance, a reduction may be made in eggs, butter, cheese and milk. While the table is intended for patients not under extra diet and attendance cost, and I have suggested that 25 per cent. in the ratios of meat, flour, and potatoes be added for workers, I am of the opinion that with careful management and good cooking, the supplies indicated for 100 persons for 30 days can be made to cover the entire population of most of the hospitals, including workers, patients under extra diet, and even the medical officers with their families, without deviating from the proper standard of supplies for ordinary patients.

In the estimates of certain articles, fractions have been so regarded. The estimates of eggs, sugar, butter, cheese, rice, beans, oatmeal, coffee and tea are approximative, per 100 persons for 30 days, as it is not contemplated that each and every one of these articles will be supplied to every patient every day in the week. Therefore, the quantities given in the table of "supplies for 100 persons for 30 days" do not always correspond with the quantities given in the "daily ration." The daily ration is calculated exactly, according to the physiological requirements of one person; while the monthly ration is approximative. The estimate of milk is approximative, one pint being calculated as one pound.

AUSTIN FLINT

60 East Thirty-fourth street, New York city.

physicians to the grade of assistant physician may be made upon the ground of fitness and merit, irrespective of length of service.

Resident Officers.—Resident officers of State hospitals shall be classified as follows: General superintendents, medical superintendents, first assistant physicians, second assistant physicians, assistant physicians, junior physicians, women physicians, stewards, matrons.

Medical Staff.—The medical staff below the grade of general superintendent and medical superintendent in each State hospital shall be classified as follows: First assistant physician, second assistant physician, assistant physicians, junior physicians, the woman physician. Physicians other than the woman physician shall enter the service as junior physicians.

SALARIES.

1. **General Superintendents.**—General superintendents shall receive from \$4,000 to \$5,000 per annum, with an increase from minimum to maximum at the rate of \$100 at the end of each year of continuous service.

2. **Medical Superintendents.**—Medical superintendents shall receive from \$3,500 to \$4,500 per annum, with an increase from minimum to maximum at the rate of \$100 at the end of each year of continuous service.

3. **Medical Superintendents in hospitals having a general superintendent.**—Medical superintendents in hospitals having a general superintendent shall receive from \$2,500 to \$3,000 per annum, with an increase from minimum to maximum at the rate of \$100 at the end of each year of continuous service.

ASSISTANT PHYSICIANS.

1. **First Assistant Physicians.**—First assistant physicians shall receive from \$2,000 to \$2,500 per annum, with an increase from minimum to maximum at the rate of \$100 at the end of each year of continuous service.

2. **Second Assistant Physicians.**—Second assistant physicians shall receive from \$1,500 to \$2,000 per annum, with an increase

from minimum to maximum at the rate of \$100 at the end of each year of continuous service.

3. Assistant Physicians.— Assistant physicians shall receive from \$1,200 to \$1,500 per annum, with an increase from minimum to maximum at the rate of \$100 at the end of each year of continuous service.

4. Junior Physicians.— Junior physicians shall receive from \$900 to \$1,200 per annum, with an increase from minimum to maximum at the rate of \$100 at the end of each year of continuous service.

5. Women Physicians.— Women physicians shall receive from \$1,000 to \$1,500 per annum, with an increase from minimum to maximum at the rate of \$100 at the end of each year of continuous service.

6. Stewards.— Stewards shall receive from \$1,500 to \$2,000 per annum, with an increase from minimum to maximum at the rate of \$100 at the end of each year of continuous service.

Matrons.— Matrons shall receive from \$40 to \$50 per month, with an increase from minimum to maximum at the rate of \$2 per month at the end of each year of continuous service.

Matrons who are graduates of a training school, whether of a State hospital or a general hospital, shall receive \$10 per month additional.

NON-RESIDENT OFFICERS.

Treasurer.— Treasurers shall receive \$1,500 per annum in lieu of all services for clerk hire or office rent, other than that furnished at the hospital, and the records of the treasurer shall be kept at the hospital.

By the Commission.

T. E. McGARR, *Secretary*.

Approved at the Capitol, in the city of Albany, this 24th day of December, eighteen hundred and ninety-five, by Levi P. Morton, Governor; James A. Roberts, Comptroller; John Palmer, Secretary of State.

By the Commission, December 24, 1895.

(Form 394.)

Schedule of State Hospital Employees' Wages.

WHEREAS, Chapter 693 of the Laws of 1895 provides, among other things, that "salaries and wages shall be uniform for similar grades of officers and employes in all the State hospitals, and which shall be classified and determined by the State Commission in Lunacy, subject to the approval in writing of the Governor, Comptroller and Secretary of State;" and

WHEREAS, After consultation with a committee of superintendents of the State hospitals, appointed under a resolution adopted at a conference of superintendents with the commission held pursuant to section 2 of chapter 214 of the Laws of 1893, on the 26th day of September, 1895, the commission, with the unanimous concurrence of said committee, adopted a schedule of uniform wages which, upon submission to the State officers aforesaid, was approved by His Excellency Levi P. Morton, Governor; the Honorable James A. Roberts, Comptroller; and the Honorable John Palmer, Secretary of State; now, therefore, it is hereby

ORDERED:

That in the State hospitals there shall be in effect on and after January 1, 1896, the following schedule of employes' wages.

GENERAL RULES.

The following rules, affecting, directly or indirectly, the wages of employes, adopted at a conference of the superintendents of State hospitals with the commission, pursuant to the provisions of section 2 of chapter 214 of the Laws of 1893, are inserted for the information and guidance of the officers and employes:

I. Vacations and Absence from Duty.— Employes of State hospitals, for convenience in the application of rules relative to vacations and absence from duty, shall be divided into four classes, as follows:

1. Employes engaged in the immediate care of patients, whose service is substantially continuous.

2. Other employes, not directly engaged in the care of patients, but whose duties cover all the days of the week; also employes

engaged in clerical services requiring close attention and intense application.

3. Employees who are regularly in the service of the hospital, who live in the institution, but are not on duty evenings or Sundays.

4. Skilled artisans and those whose hours of labor are well defined who are paid on account of their skill the commercial rate of wages, and who are not engaged evenings or Sundays.

The first class shall be entitled to an annual vacation of fourteen days; to each fourteenth day after the morning's work is performed, or its equivalent, and to each third Sunday, with full pay during such absence.

The second class shall be granted fourteen days annual vacation and each alternate Sunday after morning's work, with full pay during such absence.

The third class shall be entitled to one week's annual vacation, with full pay during such absence.

The fourth class shall not be entitled to a vacation. If the employees of this class are called upon to perform duties during unusual hours or upon Sunday, they may be allowed the equivalent of such time from their regular hours.

Employees who are off duty as the result of sickness shall not be entitled to compensation for the time thus lost.

2. Commutation for board and lodging.— No employe shall be allowed to board or lodge away from the hospital, except by special permission of the superintendent in each case, subject to the approval of the commission.

When employees are allowed to board and lodge away from the hospital, a uniform rate of ten dollars per month shall be allowed in addition to the regular monthly wages, and this amount shall be apportioned at the rate of two dollars and fifty cents per month for each meal, and two dollars and fifty cents per month for lodging.

3. Laundry allowance.— Employees residing within the hospital shall be entitled to the number of pieces provided in the laundry schedule adopted at a conference of superintendents with the

commission October 24, 1895. Employees lodging away from the hospital shall not be entitled to the use of the laundry.

4. Supplies for members of employes' families.— No employe shall be entitled to the use for members of his family of any portion of the supplies or products of the hospital, without payment therefor at the rate to be determined by the superintendent, subject to the approval of the commission.

5. Graduates of training school.— No graduate of a training school and no employe who has taken a full two years' course in a State hospital training school shall be entitled to the increased compensation herein provided for chief supervisors and nurses until after passing an examination to be held and conducted by a board of State hospital examiners appointed at a conference of superintendents with the commission.

6. Probationary service.— The probationary term of service of attendants or other employes who may be employed for a probationary term, shall be understood as applying only to those newly appointed, and the term of such service shall not exceed a period of two months. The compensation for probationary service shall be at the minimum rate established for that grade of service, and this probationary period shall not extend beyond the full calendar month next following the date of employment, in order that the date of permanent employment shall begin on the first day of the month.

7. Date of employment.— In applying the rule relative to increase of wages by reason of length of service, the date of employment shall be construed as beginning on the first day of the calendar month following the date of actual employment, unless such employment shall have actually begun on the first day of the month. This rule is not to be construed as depriving an employe of compensation for the days of actual service rendered prior to the first day of such month.

8. Transfer, re-employment and discharge of employes.— Transfers of employes from one State hospital to another shall be made only upon the written consent of the superintendents of the hospitals from and to which such transfer is proposed to be made,

and in such case the service shall be regarded as continuous. Employees leaving the service and subsequently obtaining employment therein shall be regarded and classified as new employees. No employe who has been discharged from a State hospital shall be employed in another hospital, without the approval, in writing, of the superintendent of the hospital from which such employe was discharged.

9. Increase of wages.— In the classification and assignment of existing employes in conformity with this schedule the rate of wages, in any grade in which an increase of wages is provided, shall be determined, in each case, by the length of service in that particular grade; the commencement of such service to date from the first of the month next ensuing after appointment or promotion to such grade.

10. Number of employes.— The number of employes in each grade shall be determined by the superintendent, subject to the approval by the commission.

SCHEDULE OF WAGES.

1. ADMINISTRATION DEPARTMENT.

The administration department shall be classified as follows:

Medical internes, apothecaries, stenographer, watchmen, policemen, barbers, coachman, drivers.

Wages per month.— Medical internes, \$50; apothecaries, \$40 to \$50; stenographer, \$40 to \$50; watchmen, \$35; policemen, \$35; barbers, \$30 to \$40; coachman, \$40 to \$45; drivers, \$25.

Increase of wages from minimum to maximum, so far as applicable to the foregoing list, shall be made at the rate of two dollars per month at the end of each year of continuous service.

Where necessary, attendants may be detailed to perform the duties of porters, office attendants, ushers.

Door attendants and such other duties as are not specified.

Barbers, where deemed advisable, may be paid by piece-work at a rate to be agreed upon, subject to the approval of the commission.

Where necessary, attendants may be detailed to assist in barbers' work.

2. FINANCIAL DEPARTMENT.

The financial department shall include the steward's and treasurer's departments, and the records of both departments shall be kept at the hospital.

Wages per month.— Bookkeeper, \$70 to \$80; accountant, \$60 to \$70; voucher and treasurer's clerk, \$40 to \$50; storekeeper, \$40 to \$50; stenographer, \$40 to \$50.

The increase of wages from the minimum to the maximum in each case shall be at the rate of two dollars per month at the end of each year of continuous service.

Additional services in the storekeeper's department, when necessary, may be provided from the grade of attendants.

3. SUPERVISORS.

There shall be two grades of supervisors, as follows: 1. Chief supervisors; 2. Supervisors.

Wages per month.— Chief supervisors, men, \$40 to \$50; women, \$35 to \$45.

Chief supervisors shall be graduates of training schools. Increase of pay from minimum to maximum shall be at the rate of one dollar per month at the end of each six months of continuous service in that grade.

Wages per month.— Supervisors, men, \$35 to \$45; women, \$30 to \$40.

Increase of pay from minimum to maximum shall be at the rate of one dollar per month at the end of each six months of continuous service in that grade.

4. NURSES AND ATTENDANTS.

Nurses and attendants shall be graded as follows: Charge nurses, nurses, night charge nurses, night nurses, charge attendants, attendants, night charge attendants, night attendants, special attendants, dining-room attendants, ward helpers.

All grades of attendants, except special attendants and dining-room attendants, shall be divided into two classes, namely, graduates and non-graduates.

All graduates of training schools, certified as such by the board of examiners to be hereafter appointed, shall be designated as "nurses," whether men or women, and all other employes engaged in the care of patients shall be designated as "attendants."

Women nurses or attendants who are employed on the wards of men patients, and whose duties are similar to those of men attendants or nurses, shall receive the same compensation as men nurses or attendants of similar grade.

The designation "special attendant" shall apply only to attendants who are competent to perform skilled labor and who are actually engaged in such capacity.

The designation "charge attendant" shall apply only to attendants who are actually in charge of wards.

Wages of nurses and attendants per month.—Charge nurses, men, \$28 to \$33; women, \$23 to \$28. Nurses, men, \$25 to \$30; women, \$20 to \$25. Night charge nurses, men, \$29 to \$34; women, \$24 to \$29. Night nurses, men, \$26 to \$31; women, \$21 to \$26. Charge attendants, men, \$25 to \$30; women, \$20 to \$25. Attendants, men, \$20 to \$24; women, \$14 to \$18. Night charge attendants, \$26 to \$31; women, \$21 to \$26. Night attendants, men, \$21 to \$25; women, \$15 to \$19. Special attendants, men, \$30 to \$35; women, \$25 to \$30. Dining-room attendants, women, \$13 to \$16. Ward helpers, women, \$12.

The increase of wages from the minimum to the maximum, in all cases, shall be at the rate of one dollar per month at the end of each year of continuous service, except that ordinary attendants shall receive an increase at the end of each six months' continuous service.

In case a day nurse or attendant of any grade is transferred to night service of similar grade, the minimum rate of wages shall be equal to that which such nurse or attendant was receiving at the time of such transfer.

5. DOMESTIC SERVICE.

Wages per month.—Housekeepers, \$25 to \$30; waitresses and chambermaids, \$13 to \$16.

Increase of wages from minimum to maximum shall be at the rate of one dollar per month at the end of each year of continuous service.

6. KITCHEN SERVICE.

The service shall be divided into five grades, as follows: Chefs, head cooks, cooks, assistant cooks, kitchen helpers.

The chef must possess the qualifications which are understood to apply to that term, and shall have, under direction of the superintendent, a general supervision of all kitchens and kitchen employees, and, in addition to his other duties, shall instruct the other cooks and members of the training school in the art of cooking.

The designation "head cook" shall apply to employees in charge of the main kitchens.

The designation "cook" shall apply to employees in charge of the smaller kitchens.

Wages per month.—Chefs, men, \$75. Head cooks, men, \$40; women, \$40. Cooks, men, \$25; women, \$25. Assistant cooks, men, \$20; women \$20. Kitchen helpers, men, \$18; women, \$14.

7. BAKERY SERVICE.

Wages per month.—Bakers, \$50; assistant bakers, \$25.

8. MEAT CUTTERS.

Wages per month.—Meat cutters, \$40.

9. LAUNDRY SERVICE.

The laundry service shall be classified as follows: Laundry overseer, launderers, head laundress, laundresses.

Wages per month.—Laundry overseer, \$50; launderers, \$25; head laundress, \$25; laundresses, \$15.

10. ENGINEER'S DEPARTMENT.

The engineer's department shall be classified as follows: Steam and water plant, electrical department, plumbing and steam fitting.

The chief engineer shall have general supervision and direction,

under the superintendent, of all employes and of all machinery and equipment of the engineer's department.

Wages per month.—Chief engineer, \$100. Engineer's assistants, first grade, \$60; second grade, \$50; third grade, 40. Electrical engineer, \$75. Electrical engineer's assistants, first grade, \$60; second grade, \$50; third grade, \$40. Linemen, \$35. Plumbers and steam-fitters, \$60. Plumbers and steam-fitters' helpers, \$21 to \$30.

Plumbers and steamfitters' helpers shall receive an increase from the minimum to the maximum at the rate of three dollars per month at the end of each year of continuous service.

Firemen.—Eight-hour shifts, \$30; 12-hour shifts, \$40.

11. BUILDING DEPARTMENT.

The building department shall be classified as follows: Head carpenter, carpenters, masons, painter, tinsmith, blacksmith.

Where deemed advisable, instead of heads of the several divisions, there may be a master mechanic, who shall have general supervision over the entire building department.

Wages per month.—Master mechanic, \$100; head carpenter, \$70; carpenters, \$50; painter, \$50; blacksmiths, \$50.

Masons, tinsmiths and other mechanics not classified in this department, may be employed, when necessary by the day, at a rate of compensation to be determined, subject to the approval of the commission. Where deemed advisable special attendants may be assigned to skilled labor in the building department.

12. INDUSTRIAL DEPARTMENT.

The industrial department may include, where necessary, a shop foreman, tailor and a shoemaker.

Wages per month.—Shop foreman, \$45; tailor, \$40; shoemaker, \$40.

The following occupations may be provided for by detailing attendants, or special attendants, for the particular service to be performed: Bath-masters, bath-mistresses, broom-maker, brush-maker, clothing clerk, dressmakers, glazier, mattress-maker, pho-

tographer, seamstresses, soap-maker, stocking knitter, tailoresses, upholsterer.

Bath-masters and bath-mistresses shall be employed only where associate bath-houses are in operation.

13. PRINTING AND BOOKBINDING DEPARTMENT.

There shall be one printing and bookbinding department which shall be located at the Utica State Hospital where all the printing, binding and other work which may properly be assigned to it shall be done for all the State hospitals. The employes of this department shall be classified as follows:

Wages per month.—Foreman, \$60; printer, \$50; bookbinder, \$50.

An employe who, in addition to his other duties performs the duty of proof-reader in the printing and bookbinding department, shall receive an additional compensation of \$25 per month.

The bookkeeper who keeps the accounts of the printing and bookbinding department shall receive an additional compensation of \$20 per month.

14. FARM AND GROUNDS DEPARTMENT.

The farm and grounds department may include a head farmer, a dairyman, farmers, herdsmen, gardeners, florists, teamsters and laborers.

Wages per month.—Head farmer, \$45 to \$50; dairyman, \$35 to \$40; farmers, \$25 to \$30; herdsmen, \$25 to \$30; gardeners, \$35 to \$40; florists, \$40 to \$45; teamsters, \$20; laborers, \$20.

Increase of wages, from minimum to maximum in the farm and grounds department, where provided for, shall be at the rate of one dollar per month at the end of each year of continuous service.

15. RAILWAY DEPARTMENT.

Wages, per month.—Engineer, \$45; fireman, (1), \$18; fireman (1), \$13.50; conductor (1), \$18; conductor (1), \$13.50; trackman, \$30.

This shall apply only to the Willard State Hospital where a

steam railroad is operated as a branch of an established railway system.

This rate of wages, except for trackmen, is fixed at one-half of the amount received by these employes, the other half being paid by the railway company operating the road, pursuant to contract.

16. RELIGIOUS SERVICES.

The sum of ten dollars shall be allowed for each religious service held at a hospital. The total sum, however, to be expended in any one year for such purposes shall not exceed \$600 for each hospital, except in hospitals where the administration departments are so widely separated as to render additional services necessary.

The foregoing schedule is made sufficiently comprehensive to meet existing and widely differing conditions in the State hospitals. Many positions are provided which, obviously, it will not be necessary to fill in some hospitals, and therefore, it is not contemplated that each hospital shall necessarily fill all of the positions provided. Grades of employment other than those specified in the schedule shall not be established in any hospital, except under peculiarly urgent conditions, and the special approval of the commission in each instance.

By the Commission, December 24, 1895.

T. E. MCGARR, *Secretary*.

Approved, at the capitol, in the city of Albany, this 24th day of December, 1895, by, Levi P. Morton, Governor; James A. Roberts, Comptroller; John Palmer, Secretary of State.

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